



REPORT OF INVESTIGATION VIRGINIA PAROLE BOARD

VOLUME II - APPENDICES

Appendix 1 to Section III

March 2020 Discretionary Parole and Geriatric Conditional Release Grant Decisions

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I. Methodology of Report Appendices 1 and 2

Appendices 1 and 2 to Report Section III contain detailed factual descriptions of VPB's case files on all offenders granted discretionary parole or geriatric conditional release in March and April 2020.

A. Records and Information Considered

1. VADOC CORIS System

CORIS is the offender management system used by VADOC across the Commonwealth, containing data on every past and current inmate, probationer, and parolee. The available data covers a full spectrum, from pre-sentence investigation reports, to prison progress reports, to post-release parole supervision notes. CORIS also includes a "Parole Board" module, which contains all electronic data available to VPB's voting members. Interviews confirmed that VPB members voted on parole cases almost exclusively based on information contained in the CORIS "Parole Board" module. As a result, we relied heavily on CORIS and the "Parole Board" module when reviewing VPB's parole decisions.

The "Parole Board Member Summary" is essential to each VPB member's vote on a parole case. It aggregates multiple sources of information from CORIS and packages them into a single report for members to consider. According to VPB's chief administrator, the "Parole Board Member Summary" is the document that VPB members "review most heavily when they're making decisions" because "it's got all the Parole Board knows" about an offender. An average "Parole Board Member Summary" ranges from 8 to 15 pages. It includes information such as the offender's specific convictions and sentences, the facts of the convicted offenses, the offender's institutional adjustment, the parole examiner's comments and recommendation, and a record of VPB members' votes.

Consistent with general public safety expectations, unless otherwise specified, this report assumes that paroled offenders were of good behavior while incarcerated and completed necessary institutional programming designed to help them transition back into society.

2. VPB Emails

With the assistance of VADOC information technology personnel, we received and reviewed thousands of emails sent and received by VPB staff. The emails occupy an approximate file size of 27 gigabytes. Some emails are reproduced in this report to provide context on individual parole cases or policy decisions.

We accessed the entire email history of certain VPB employees to examine how they transacted VPB's business. An example of one such review was VPB's former Victim Input Coordinator, Lisa Bowen. Our review of the mailboxes of VPB victim input staff enabled conclusions to be drawn about whether VPB's victim contact efforts complied with the law.

We also attempted to obtain the entire email history of former VPB Chair Bennett. However, despite the best efforts of VADOC information technology personnel, former Chair Bennett's Commonwealth of Virginia email account had been deleted, as had the email history of former Chair Tonya Chapman. VADOC information technology personnel eventually accessed the "raw data" in Chairs Bennett and Chapman's email inboxes. Unlike the full, sequential email access available for non-leadership VPB employees, VADOC was only able to provide access to

former Chair Bennett's emails in response to keyword-specific requests. We were unable to identify the reason why the email accounts for Chairs Bennett and Chapman were deleted.

3. Witness Interviews

With assistance from senior Virginia State Police Special Agents, we conducted 41 interviews of 38 witnesses. The witnesses included Judge Adrienne Bennett, Judge Linda Bryant, former VPB members¹ Sherman Lea and Kemba Smith Pradia, former VPB Vice-Chair Jean Cunningham, former VPB Vice-Chair Lethia Hammond, former Secretary of Public Safety and Homeland Security Brian Moran, former VPB Chairs William Muse and Karen Brown, multiple senior VADOC staff, and multiple current and former VPB employees. Relevant facts derived from witness interviews will be included.

B. Appendix Format

Each release decision examined in Appendices 1 and 2 follows the same general format:

Sentencing Information

Identifies each offender's parole-eligible crimes of conviction, including the jurisdiction, the date(s) the sentence was imposed, and the total parole-eligible sentence.

Facts of Parole-Eligible Offenses

Describes the facts of each offender's parole-eligible offenses as proven in open court by the Commonwealth of Virginia. This section may include post-1995 crimes committed by offenders who later became eligible for geriatric conditional release. Detailed factual descriptions are available in most reviewed cases.

Prior Criminal History and Institutional Discipline

Describes the offender's criminal record before being incarcerated on the parole- or geriatric release-eligible offenses described in the "Sentencing Information" section. Additionally provides the offender's institutional disciplinary record.

Parole Examiner Interview and Recommendation

Describes relevant information gathered by the parole examiner when interviewing the offender. VPB generally requires its parole examiners to have prior experience as a Chief or Deputy Chief Probation and Parole Officer.

When available, this section includes the offender's COMPAS recidivism assessment score. COMPAS (Correctional Offender Management Profile for Alternative Sanctions) is a data-driven risk management instrument used by criminal justice and correctional agencies across the United States. The COMPAS instrument "was developed empirically with a focus on predictors known to affect recidivism. It includes dynamic risk factors, and it provides information on a variety of well validated risk and need factors designed to aid in correctional intervention to decrease the likelihood that offenders will reoffend."² Based on detailed historical and environmental information obtained from offenders, COMPAS assigns offenders a risk level of "low," "medium," "medium with override consideration," and "high."

Parole Board Deliberations and Victim and Prosecutor Contact

The information presented in this section is generally listed chronologically. Describes support input registered by an offender's supporters and family. Also describes all victim input efforts by VPB, which may result in opposition or support input. Contains the full record of votes cast by VPB members in favor or against release. Also describes file notes made by VPB members and staff over the years that are relevant to the decision whether to release an offender. Provides specific dates on which VPB mailed prosecutor notifications.

Violations of Law

Renders a conclusion about whether VPB's actions in each case complied with applicable law and policy. We do not express an opinion on whether the reviewed offenders were appropriate candidates for release.

Victim Contact Violations

Va. Code § 53.1-155(B), the "victim contact" statute, states that "The Board shall endeavor diligently to contact the victim prior to making any decision to release any inmate on discretionary parole." Under VPB Administrative Procedure 1.225, "Family members of victims of violent crimes and the parents of a minor child who is a victim are also included in this definition."

There are two operative parts of the victim contact statute: the "prior to making any decision" mandate, and the "endeavor diligently" mandate.

1. "Prior to making any decision" unambiguously requires VPB to "endeavor diligently" to contact the victim before any VPB member casts any individual vote to release an offender on discretionary parole. It does not merely refer to VPB's final decision to certify a parole release; had the General Assembly intended for this to be the case, it would have used the language "prior to making the final decision to certify a parole release."
2. "Endeavor diligently" is not defined in Virginia law, and a "diligent endeavor" to contact the victim may vary depending on the case. VPB uses multiple databases and engages local authorities when attempting to contact victims.

Throughout this appendix, we deem cases in which any VPB member voted to release an offender on discretionary parole without VPB having "endeavored diligently" to contact the victim as violations of § 53.1-155(B). Cases in which VPB showed *some* effort to contact the victim before voting began are deemed to be compliant with the law.

Prosecutor Notification Violations

Va. Code § 53.1-136(3)(c), the "prosecutor notification" statute,³ states that VPB must "Notify by certified mail at least 21 business days prior to release on discretionary parole of any inmate convicted of a felony and sentenced to a term of 10 or more years, the attorney for the Commonwealth in the jurisdiction where the inmate was sentenced."

Throughout this appendix, we deem cases in which VPB mailed a prosecutor notification with 22 business days or more remaining before an offender's release as compliant with the statute. Any notification that was mailed with 21 or fewer business days remaining until the offender's

release is deemed to violate the statute.

Adjustment to Supervision

Subsequent parole violations or new convictions are described in this section.

C. March 2020 Release Decisions

EXPLICIT CONTENT ADVISORY

The following contains graphic factual descriptions of criminal offenses as proven in open court.

Reader discretion is advised.

Release of Albert Brown

A. Sentencing Information

Albert Brown, then 33 years old, was sentenced to 48 years in prison for first-degree murder on May 12, 1994 in Roanoke City Circuit Court.⁴

B. Facts of Parole-Eligible Offense

On November 25, 1993, at approximately 3:50 a.m., Brown suffocated his girlfriend by smothering her face with a pillow until she died.⁵ According to Brown, his girlfriend had been drinking and doing drugs, which he did not approve of.⁶

C. Prior Criminal History and Institutional Discipline

Brown had one prior conviction for assault & battery in 1988.⁷ Brown committed one institutional infraction while incarcerated (fighting in 1998); another 2015 infraction was informally resolved due to Brown's good disciplinary record.⁸

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Brown at Green Rock Correctional Center on July 17, 2019; this was Brown's thirteenth interview since becoming eligible for parole.⁹ During the interview, Brown alleged without proof that the murder victim started the incident that led to her death, and that the victim had been stealing from him at the time.¹⁰ Brown alleged without proof that the victim "had done other people like this and it was a con game."¹¹ Brown told the examiner "I have left this behind" and promised that he would "not get back in the same jam again."¹² Brown told the examiner that he had served 25 years, and that he wondered how much longer he needed to serve.¹³ The examiner recommended that Brown be released.¹⁴

E. Parole Board Deliberations and Victim and Prosecutor Contact

The family of Brown's murder victim expressed strong opposition to parole on multiple occasions, beginning in 2005 when the victim's brother called VPB to express his opposition, referring to Brown as a "cold blooded murderer who killed his sister for no reason."¹⁵ The same year, the victim's family wrote VPB a letter in opposition to parole; VPB employee Brenda Marriott memorialized the opposition in the following file note:

The [REDACTED] Family ([REDACTED]) writes to express their strong opposition to parole. They believe he will kill again. The cruel and unusual manner in which

he killed [REDACTED] should not be taken lightly, and the penal system should set an example for others that killing human beings is unacceptable and will be met with the maximum punishment. He smothered her to death and turned the thermostat up to a high temperature. She had to have a closed-casket funeral because the mortician could not make her look human again. They are very fearful for their lives. [REDACTED] loved to help people. She devoted her time working in nursing homes because she wanted to show kindness and dignity to those people she referred to as heroes, heroines and giants. She helped Albert Brown at a cost of her life. Because of her altruism and her friendly attitude, she was very popular in her home city. About a thousand people were in attendance at her funeral.¹⁶

VPB noted an additional letter from the victim's brother in August 2005:

[REDACTED], [REDACTED], [REDACTED], [REDACTED] writes to state his opposition to parole. [REDACTED]'s two children were split up between family members as their father was killed in fishing accident to [REDACTED]'s murder. He killed her in her sleep after she was kind enough to get an apartment for them to live. She was seduced into thinking he was a nice man who just needed a little financial help.¹⁷

After Brown's parole consideration was deferred for three years, the victim's family again wrote in opposition to parole on two occasions in 2008.¹⁸ On September 21, 2018, Victim Input Coordinator Lisa Bowen noted the following:

VICTIM RESEARCH - This offender has two active registrations in VINE/CORIS. [REDACTED] and [REDACTED]. I'm not sure what their relationship is to the murder victim [REDACTED]. [REDACTED]' address is current and he is still receiving notifications. [REDACTED]'s address is showing still in [REDACTED], [REDACTED] but a different street address. Notifications are not coming back though. The last input was in 2008 in opposition of parole.¹⁹

During Brown's 2018 parole consideration, he received "grant" votes from VPB member Sherman Lea on September 13, 2018, and from member Linda Bryant on November 15, 2018.²⁰

On August 9, 2019, member Linda Bryant voted to grant Brown discretionary parole.²¹ The same day, Victim Input Coordinator Lisa Bowen input a note stating "VICTIM RESEARCH COMPLETE - This offender has two registered victims in VINE that are family members (brothers) of the murder victim [REDACTED]. I confirmed in the database that their contact information is current. No opposition input received since July 2008 from the victim's family. No further research is necessary."²²

VPB member Sherman Lea voted to grant Brown parole on August 28, 2019.²³ Chair Adrienne Bennett voted against granting Brown parole on December 6, 2019.²⁴ Member A. Lincoln James voted against granting Brown parole on December 9, 2019.²⁵ The same day, member Kemba Pradia cast the final necessary vote to grant Brown parole.²⁶ VPB records list the "Decision Date" in Brown's case as "12/09/2019."²⁷ On November 16, 2019, a parole examiner noted that Brown's home plan to his cousin had fallen through, as multiple attempts to contact the cousin had failed.²⁸

Victim Input Coordinator Bowen placed another note in CORIS on February 10, 2020

stating, “VICTIM RESEARCH COMPLETE - Family of murder victim receiving notifications. No input in many years. No further research is necessary. Ready to certify.”²⁹ On March 30, 2020, Chair Adrienne Bennett input a note stating, “Ready to Certify. Will need transitional housing.”³⁰ VPB certified its decision to grant Brown discretionary parole the same day.³¹

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Roanoke City Commonwealth’s Attorney’s Office on April 1, 2020; that office received the notification, but the return receipt was undated.³² A VADOC Victim Services employee called the two registered victims on April 28, 2020 to inform them that Brown was being released.³³ One victim told the VADOC employee that he was not okay with the release, but other family members were.³⁴ Brown was released from Green Rock Correctional Center on June 5, 2020.³⁵

F. Violations of Law

No violations found.

Release of Albert Watson

A. Sentencing Information

Albert Watson was convicted of 2 counts of robbery in Chesapeake Circuit Court in April 1995 (1994 offense dates) and sentenced to 10 years in prison.³⁶ Watson was released on discretionary parole in November 1998.³⁷ In 2000, Watson absconded from parole supervision, and he was later convicted of failure to appear, a probation violation, sexual battery, and grand larceny in Virginia Beach and Chesapeake, receiving a prison sentence on the grand larceny conviction.³⁸ Watson’s discretionary parole was revoked.³⁹ Watson was released again on discretionary parole in November 2003 but rearrested in Chesapeake for a home invasion robbery and burglary in September 2004.⁴⁰ Watson was convicted of robbery and burglary in Chesapeake in May 2005 and sentenced to 15 years; his discretionary parole was again revoked.⁴¹

B. Prior Criminal History and Institutional Discipline

Watson’s full criminal history is reflected above.⁴² Watson committed 4 institutional infractions while incarcerated, including one instance of making a forcible sexual advance to a staff member in 2016.⁴³

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Watson on June 5, 2019 at River North Correctional Center.⁴⁴ The examiner noted that Watson had tried to make amends and apologize to the victim of his 2004 robbery and burglary.⁴⁵ Watson asked VPB to take into account all the positive things he had done since being incarcerated.⁴⁶ Watson stated that he had matured a lot from when he was 30, and he was now 50 years old.⁴⁷ The examiner recommended that Watson be released.⁴⁸

D. Parole Board Deliberations and Victim and Prosecutor Contact

On July 13, 2019, VPB member A. Lincoln James voted to grant Watson discretionary parole.⁴⁹ On July 28, 2019, Chair Adrienne Bennett voted against granting Watson discretionary parole, citing the following reasons: “Your prior failure(s) and/or convictions while under community supervision indicate that you are unlikely to comply with conditions of release; History of violence.”⁵⁰ On August 18, 2019, member Sherman Lea voted to grant Watson parole.⁵¹ On October 6, 2019, member Linda Bryant voted against granting Watson parole, citing the reason

that “The Board concludes that you should serve more of your sentence prior to release on parole.”⁵² On October 24, 2019, member Kemba Pradia cast the final necessary vote to release Watson.⁵³ VPB records list the “Decision Date” in Watson’s case as “10/24/2019.”⁵⁴

No other information or notes appear in Watson’s file until February 2020. On February 5, 2020, Victim Input Coordinator Lisa Bowen placed the following note in Watson’s CORIS file:

VICTIM RESEARCH - One registered phone number in VINE and one email. The phone number in the database is showing as belonging to [REDACTED]. I am unable to make a connection to the victim or the offender. Offender is a parole violator with a new robbery conviction in Chesapeake 09/23/2004. I found the victim [REDACTED]. A notification letter was sent with a response deadline of February 26, 2020.⁵⁵

Bowen placed another note in Watson’s file on February 18, 2020:

VICTIM INPUT - I received a phone call from Ms. [REDACTED] who was responding to my victim notification letter. Ms. [REDACTED] stated that she is okay with the information provided and believes the offender served his time. She has concerns for her safety since she was the one who identified him after the robbery. Ms. [REDACTED] asked to be registered in the VINE system and informed of the Board's decision.⁵⁶

Bowen entered the following note on March 4, 2020: “VICTIM RESEARCH COMPLETE - Sent Board members victim input for consideration. No further research necessary. Ready to certify.”⁵⁷ VPB certified its decision to grant Watson discretionary parole on March 30, 2020.⁵⁸ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to an unnamed Commonwealth’s Attorney’s Office on March 31, 2020; there is no evidence the notification was received.⁵⁹ Watson was released from River North Correctional Center on June 11, 2020.⁶⁰

E. Violations of Law

VPB’s decision to grant Albert Watson discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the family of Watson’s 1994 parole-eligible Chesapeake robbery offenses. While VPB contacted the victim of Watson’s 2004 Chesapeake robbery, § 53.1-155(B) did not require such an effort, since Watson was not eligible for parole on that conviction.

Release of Alonza Walker

A. Sentencing Information

Alonza Walker was convicted of first-degree murder and use of a firearm in the commission of murder in Danville Circuit Court on June 2, 1995.⁶¹ Walker pled not guilty, demanded a jury trial, and was sentenced to serve 40 years and pay a \$100,000 fine for murder and three years for use of a firearm.⁶²

B. Facts of Parole-Eligible Offenses

On August 27, 1994, Walker was seen sitting in the passenger seat of a car arguing with the victim, [REDACTED], who was in the driver’s seat.⁶³ Walker had just sold the victim \$20 worth of crack cocaine.⁶⁴ A witness described the car taking off at a high rate of speed followed

by an accident impact.⁶⁵ Police discovered, and the autopsy report confirmed, that the victim had been shot in the forehead with a .38 caliber firearm, causing his death.⁶⁶ Walker sold a similar handgun to a Commonwealth's witness several days after the shooting.⁶⁷

C. Prior Criminal History and Institutional Discipline

As a juvenile, Walker was adjudicated delinquent of breaking and entering and escaping custody in 1988, trespassing and shoplifting in 1989, and trespassing, destruction of property, and assuming a false name in 1993.⁶⁸ As an adult, Walker was convicted of three counts of trespassing and one count of possession of a concealed weapon in 1994.⁶⁹ Walker committed 45 institutional infractions while incarcerated, including multiple instances of indecent exposure and possession of contraband.⁷⁰ The majority of Walker's infractions occurred between 1995 and 1998.⁷¹

D. Parole Examiner Interview and Recommendation

During Walker's 11th parole interview on September 18, 2019, he claimed with respect to his conviction for premeditated first-degree murder that he "made a mistake" and that the shooting was an accident.⁷² The parole examiner recommended against releasing Walker.⁷³

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB members voted on Walker's case between October 16, 2019 and December 10, 2019.⁷⁴ Member Kemba Pradia voted to grant Walker discretionary parole on October 16, 2019; member Sherman Lea against releasing Walker on November 7, 2019; Chair Adrienne Bennett voted to grant Walker parole on December 9, 2019; member Alexander James provided the final necessary vote to grant Walker parole on December 10, 2019.⁷⁵ No victim research or victim contact was noted before the Board cast any votes in favor of parole.⁷⁶ Board records list the "Decision Date" in Walker's case as "12/10/2019."⁷⁷

VPB's information regarding victim input consisted of the following from Victim Input Coordinator Lisa Bowen on January 15, 2020:

VICTIM RESEARCH COMPLETE - There is one main registrant in VINE registered by phone, email, and letter by the name of [REDACTED]. I researched the name in the database and found the murder victim [REDACTED] on her relative report. There is an additional email also that I am not able to research. The mailing address in VINE is current in the database. No further research is necessary.⁷⁸

VPB certified its decision to grant Walker discretionary parole on March 31, 2020, and Baskerville Correctional Center staff notified Walker of the decision the same day.⁷⁹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Danville Commonwealth's Attorney's Office on April 6, 2020; that office received the notification on April 14, 2020.⁸⁰ On April 27, 2020, VPB employee Shirley Smith mailed a letter to the registered victim stating that Walker had been granted parole as of April 21, 2020.⁸¹ Walker was released from Baskerville Correctional Center on April 28, 2020.⁸²

F. Violations of Law

VPB's decision to grant Alonza Walker parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Walker's murder victim's family before casting all

the necessary votes to release Walker.

VPB's decision to grant Alonza Walker parole further violated Va. Code § 53.1-136(3)(c), because the prosecutor notification was mailed with fewer than 21 business days remaining until Walker's release.

Release of Andrew Lizama

A. Sentencing Information

Between 1991 and 1992, Andrew Lizama was convicted of probation violations related to 5 burglaries and 5 grand larcenies in Prince George Circuit Court.⁸³ He received a total active sentence of 30 years.⁸⁴ Lizama was released on discretionary parole in 2002 and arrested in 2004 in Chesterfield for robbery and attempted robbery.⁸⁵ Lizama received a total sentence of 7 years, and his parole was revoked.⁸⁶

B. Prior Criminal History and Institutional Discipline

Lizama's prior criminal history includes criminal traffic convictions.⁸⁷ Lizama committed 30 institutional infractions while incarcerated, including 2 instances of stealing, 5 instances of possession of contraband, and being under the influence of drugs or intoxicants.⁸⁸

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Lizama on August 6, 2019 at Caroline Correctional Unit.⁸⁹ Lizama stated that he committed the Chesapeake robbery offenses because he needed money after losing his job.⁹⁰ Lizama stated that he had a better perspective after being in prison, and that he was focused on work and family.⁹¹ The examiner recommended that Lizama be released.⁹²

D. Parole Board Deliberations and Victim and Prosecutor Contact

On September 17, 2019, Vice-Chair Jean Cunningham voted to grant Lizama discretionary parole. On October 5, 2019, member A. Lincoln James voted to grant Lizama parole. On November 20, 2019, member Linda Bryant voted to grant Lizama parole.⁹³ VPB records list the "Decision Date" in Lizama's case as "11/20/2019." No entries or information regarding victim research or contact were available to voting VPB members at that time.⁹⁴

No victim research or contact efforts were documented in Lizama's CORIS file until December 2019.⁹⁵ On December 18, 2019, Victim Input Coordinator Lisa Bowen placed a note in Lizama's file stating that she had contacted the Chesterfield Victim/Witness program for assistance identifying the victims of Lizama's 2004 robberies.⁹⁶ On February 18, 2020, Bowen input another note with a status update about Lizama's 2004 victims.⁹⁷ On March 6, 2020, Bowen input a note stating "VICTIM RESEARCH COMPLETE - No additional victim information provided. No further research is necessary. Ready to certify."⁹⁸ VPB did not seek any information about Lizama's parole-eligible convictions from Prince George County.⁹⁹

On March 29, 2020, Chair Adrienne Bennett input a note stating "Ready to Certify."¹⁰⁰ VPB certified its decision to grant Lizama discretionary parole on March 30, 2020.¹⁰¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to an unnamed Commonwealth's Attorney's Office on March 31, 2020; there is no evidence that office received the notification.¹⁰² Lizama was released from River North Correctional Center on April 21, 2020.¹⁰³

E. Violations of Law

VPB's decision to grant Andrew Lizama discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of Lizama's original burglary and grand larceny offenses.

VPB's decision to grant Andrew Lizama parole further violated Va. Code § 53.1-136(3)(c), because the prosecutor notification was mailed with fewer than 21 business days remaining until Lizama's release.

Release of Anthony Hugine

A. Sentencing Information

Anthony Hugine pled guilty to and was convicted of rape, forcible sodomy, abduction, and robbery in Fairfax Circuit Court on April 15, 1994 for crimes he committed on August 28, 1993.¹⁰⁴ Hugine was sentenced to a total active sentence of life in prison plus 50 years (some sentences ran concurrently): life in prison for rape, 60 years with 30 suspended for forcible sodomy, 40 years with 20 suspended for abduction, and 40 years with 20 suspended for robbery.¹⁰⁵

B. Facts of Parole-Eligible Offenses

"The victim met [Hugine] at Chi Chi's restaurant on the Route I corridor. Prior to the date of offense, she had never seen [Hugine] before. She intended to meet her boyfriend, but he canceled. She decided to stay, have dinner, go back to her uncle's residence, get extra clothes and catch a 10:00 bus back to her boyfriend's residence. She had four enchiladas and a Long Island iced tea. [Hugine] approached while she ate. They spoke. She agreed to allow him to take [her] back to her uncle's house and then to the bus stop. She thought it would be safer. She did not feel threatened by him."¹⁰⁶

"The next thing the victim recalled was waking up on the floor of her uncle's bedroom, swallowing blood, with [Hugine] on top of her. He beat her and choked her. He threatened her. He pulled her pants off. She urinated out of fear. He forced her on the bed. He raped her and anally sodomized her. He threw her onto the floor. He bound her ankles and her hands behind her back with electrical cord. He tied a pillow around her face. He raped and sodomized her again. He left the room and walked around the apartment. He came back into the room. She began to get loose. He retied her. She prayed out loud. He raped her again. He took cash from her purse. He left her tied up and threatened to kill her in two hours. He went back to Chi Chi's and drank with his friends."¹⁰⁷

"The police responded to the apartment unit, having been alerted by a neighbor who heard the victim's screams. [A police officer] found her in a hog-tied condition. He took her to the hospital. The [Sexual Assault Nurse Examiner] examined her. Her report was introduced into evidence. She found bruising to the victim's face and eyes. She found ligature marks on her ankles and wrists. She found bruising to the victim's vagina and anus."¹⁰⁸

"The police interviewed the defendant about his involvement. He initially admitted to the robbery of the contents of the purse. He then denied it. He admitted to having sexual intercourse with the victim. He denied raping, sodomizing or abducting her. He characterized the incident as her 'coming on to him.'"¹⁰⁹

“[I]n addition to having taken \$250 from her purse, [Hugine] also took two watches, two bracelets, a necklace, and an electric razor from the victim's uncle's apartment. [Hugine] initially denied the rape, indicating that they had “made love” and that it was not forced. He also denied the sodomy and the robbery . . . [T]he victim's eyes were swollen shut as a result of the hitting by [Hugine].¹¹⁰”

C. Prior Criminal History and Institutional Discipline

Hugine, who was married at the time of the above-described offenses, previously faced a military court-martial for assault against his wife, making false statements to government officials, and larceny of government property.¹¹¹ Hugine committed eight institutional infractions while incarcerated.¹¹²

D. Parole Examiner Interview and Recommendation

During a March 14, 2019 parole interview at Buckingham Correctional Center, Hugine blamed his crimes on [REDACTED], drugs, and alcohol.¹¹³ Hugine stated that he was not a bad person, and that he was a good parole risk because he had developed a good work ethic and became a model prisoner.¹¹⁴ The parole examiner recommended against releasing Hugine.¹¹⁵

E. Parole Board Deliberations and Victim and Prosecutor Contact

Between 2007 and 2020, and over the course of fifteen parole interviews for Hugine, VPB received four letters and four phone calls from Hugine's supporters.¹¹⁶ VPB employee Breana Frisby contacted Hugine's mother without prompting in February 2017 “so that she could have an opportunity to give her input for the Board members to consider [that] year.”¹¹⁷ On the same day, Hugine's brother was granted a telephone appointment with Chair Adrienne Bennett.¹¹⁸ VPB member Linda Bryant took an appointment with Hugine's supporters on April 18, 2019, which included the presentation of a packet of information on Hugine's behalf.¹¹⁹

VPB documented no attempts to identify, locate, or contact Hugine's victim until June 18, 2019, at which time Victim Input Coordinator Lisa Bowen documented her outreach to the Fairfax Victim/Witness program for help with victim information.¹²⁰ Nine days later, on June 27, 2019, Lisa Bowen made a note that Fairfax Victim/Witness had identified the victim and provided the Board with her contact information.¹²¹ VPB noted no other action with respect to victim contact or notification until September 2019.¹²²

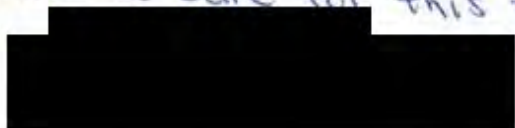
On July 21, 2019, without any victim input having been obtained, VPB member Linda Bryant posted a lengthy CORIS note detailing the reasons she would be voting to grant Hugine parole.¹²³ On September 3, 2019, then-Victim Input Coordinator Dawn Winecoff noted that she had found the victim's address and mailed a “notification letter” with a response date of September 18, 2019.¹²⁴ On September 13, 2019, Winecoff entered the following note:

VICTIM OPPOSITION: Letter received from V [REDACTED] stating her 26 years of dealing with the emotional, physical and mental trauma from the animalistic behavior of this O. She still has feelings of mistrust, anxiety and a resulting sense of loneliness. Daily fearfulness and often worries if he would come looking for her if he got out. Wonders how many others have also experienced his evil and would hate for him to have the opportunity to commit this crime again. Letter attached.¹²⁵

The victim's opposition letter is reproduced here verbatim:

Dear Dawn Winecoff,
This letter is in reference to Anthony Hugine, #10270166. Thank you for notifying me and updating me concerning this case. Twenty six years ago, I dealt with the vicious attack, the court experience and knowing he was being punished for this crime. I have also had to live with emotional, physical and mental trauma. This has been no easy road. This experience has created a feeling of mistrust, anxiety, and a sense of loneliness. The force, the bondage, the animalistic behavior makes me more fearful in my daily living.

I have not heard from the person and institutions involved until now. I have often worried if he would come looking for me or run into him. I thought about others having to face what I had to face. I also thought about had others already faced this evil, I would not want anyone to endure what I have endured. Is there a cure for this type of behavior?



On October 23, 2019, VPB employee Crystal Noakes noted that victim research was complete, as the victim had been located and “strong opposition” to parole was recorded.¹²⁶

VPB members voted on Hugine's case between February 26, 2020 and March 19, 2020.¹²⁷ Member Linda Bryant initially voted against releasing Hugine on February 26, 2020 because “[r]elease would diminish the seriousness of the crime.”¹²⁸ Chair Adrianne Bennett voted to grant Hugine discretionary parole on March 18, 2020.¹²⁹ Member Bryant changed her vote to “grant” on March 18, 2020.¹³⁰ A second “grant” vote from Bryant was recorded on March 19, 2020.¹³¹

In an email to member Kemba Pradia on March 18, 2020, member Bryant stated that “Adrianne okay'd getting the case of Anthony Hugine (1140412) over to you. We had all voted to grant about 6-9 months ago (though I think it was shortly before you were on the board). I was really compelled by the board appointment for Hugine (you'll see my notes in CORIS). After he

received the requisite grant votes to get parole, we received input from the victim (who lives in [REDACTED]). I changed my vote to NG based on victim opposition. But I've been thinking alot about this case and decided I wanted to change my vote to grant, despite the victim opposition. So I talked to ALB, she is comfortable granting him, so she went ahead and voted to grant him and had [VPB Administrator] Tracy [Schlagel] move the case back to me. I just voted to grant.”¹³²

Following this exchange, member Kemba Pradia provided the final necessary vote to grant Hugine parole on March 19, 2020.¹³³ VPB records list the “Decision Date” for Hugine’s case as “03/19/2020.”¹³⁴ VPB certified its decision to grant Hugine discretionary parole on March 31, 2020, and Buckingham Correctional Center staff notified Hugine of the decision the same day.¹³⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Fairfax Commonwealth’s Attorney’s Office on April 4, 2020; the return receipt was undated.¹³⁶ Hugine was released from Buckingham Correctional Center on April 20, 2020.¹³⁷

F. Violations of Law

VPB’s decision to grant Anthony Hugine parole violated Va. Code § 53.1-155(B), because in the words of a VPB member, VPB decided to release Hugine “6-9 months” prior to “endeavoring diligently” to contact Hugine’s victim. After VPB’s decision was made, the victim attempted to warn VPB about Hugine’s “animalistic” behavior and the emotional, physical, and mental trauma Hugine inflicted, but no VPB member changed their vote.

VPB further violated Va. Code § 53.1-136(3)(c) by failing to notify the Fairfax Commonwealth’s Attorney of its decision to grant Hugine parole at least 21 business days prior to Hugine’s release.

Release of Anthony Joyner

A. Sentencing Information

Anthony Joyner was initially convicted of burglary in Hampton Circuit Court in early 1976, receiving a five-year sentence.¹³⁸ Joyner was convicted later in 1976 of the following offenses in Newport News Circuit Court; dates listed are dates of offense:

- Attempted Robbery (March 17, 1976), 10-year sentence (concurrent)
- Attempted Robbery (March 17, 1976), 10-year sentence (concurrent)
- Crimes Against Person (March 17, 1976), 20-year sentence
- Escape from Custody (March 29, 1976), 1-year sentence
- Escape from Custody (August 10, 1976), 2-year sentence
- Forgery, 10 counts (August 10, 1976), 1-year sentence for each count¹³⁹

Following Joyner’s 1976 convictions and commitment to the Powhatan Correctional Center, he was convicted on June 28, 1977 in Powhatan Circuit Court of malicious wounding and possession of a weapon by an inmate, receiving twenty- and one-year sentences, respectively.¹⁴⁰ Joyner was subsequently transferred to the Virginia State Penitentiary in Richmond, and he was convicted under a recidivist statute in August 1977, receiving an additional two years.¹⁴¹

Joyner committed unlawful wounding at the Virginia State Penitentiary on January 12, 1981, resulting in a two-year sentence on February 23, 1981.¹⁴² Joyner was transferred again to Brunswick Correctional Center, where he committed burglary and destruction of property on June

3, 1983, receiving two suspended five-year sentences on November 2, 1983.¹⁴³ Joyner's total active sentence at this time was 68 years.

Joyner was granted discretionary parole in 1992 after serving 17 years.¹⁴⁴ Upon his release, at age 27, Joyner committed burglary in Hampton on March 12, 1993, resulting in a twelve-month sentence on July 2, 1993.¹⁴⁵ Joyner's discretionary parole was revoked, and he served an additional eleven years.¹⁴⁶ He was again released on discretionary parole in 2004.¹⁴⁷ At age 55, Joyner committed another burglary in Newport News on December 5, 2011, resulting in a sentence of 15 years with 10 suspended on August 31, 2012.¹⁴⁸ His discretionary parole was again revoked.¹⁴⁹

B. Prior Criminal History and Institutional Discipline

In addition to his post-1976 convictions detailed above, Joyner was also convicted of "crimes against nature" in 1970, receiving a probation sentence.¹⁵⁰ Joyner was convicted of two burglaries and two counts of larceny in 1970.¹⁵¹ Joyner was convicted of burglary, larceny, and jail breaking in 1971.¹⁵² Joyner was convicted of another series of residential break-ins in 1972.¹⁵³

A past evaluation conducted by the Department of Corrections found that Joyner "thrives on the inmate sub-culture" and "prognosis once released is very poor."¹⁵⁴ In a COMPAS recidivism assessment conducted on January 31, 2020, Joyner was reported as being a high risk for violent recidivism and a medium risk for general recidivism.¹⁵⁵

Joyner committed 72 institutional infractions while incarcerated, including 2 instances of possession of a weapon, 5 instances of setting a fire, 6 assaults, 7 instances of damaging property, 2 instances of stealing, 2 instances of fighting, indecent exposure, and threatening bodily harm.¹⁵⁶

C. Parole Examiner Interview and Recommendation

During a March 3, 2020 parole interview, Joyner stated that the first time he was paroled he'd done 17 years and was surprised to have made parole, only thinking about "eat, drink and be merry."¹⁵⁷ Joyner stated that he had "never been anything but a petty thief."¹⁵⁸ According to Joyner, he knew how to steal and was locked back up in six months.¹⁵⁹ The parole examiner wrote that "[p]arole is not recommended due to history of violence; extensive criminal record, disregard for property rights, serious crime, need to see a longer period of stable adjustment and multiple failures on supervision."¹⁶⁰

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB documented no efforts to contact Joyner's victims until May 2020.¹⁶¹ VPB members voted on Joyner's case between March 26, 2020 and March 31, 2020.¹⁶² On March 26, 2020, member Kemba Pradia voted to grant Joyner discretionary parole.¹⁶³ On March 29, 2020, Chair Adrienne Bennett voted to grant Joyner parole.¹⁶⁴ On March 31, 2020, member Linda Bryant provided the final necessary vote to grant Joyner parole.¹⁶⁵ VPB records list the "Decision Date" and certification date in Joyner's case as "03/31/2020."¹⁶⁶

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond, Newport News, Hampton, Brunswick, and Powhatan Commonwealth's Attorney's Offices on April 3, 2020; return receipts showed that the Richmond Commonwealth's Attorney's Office received the notification on April 10, 2020, and the Brunswick Commonwealth's Attorney's Office received the notification on April 13, 2020.¹⁶⁷ The other three Commonwealth's Attorneys' offices received the notifications, but the return receipts were undated.¹⁶⁸ A VADOC employee

noted on April 28, 2020 that Joyner did not have a valid release plan.¹⁶⁹ On May 12, 2020, VPB employee Shirley Smith noted the following: “VICTIM INFORMATION: A search of both VINE and CORIS found no victim information for this Offender.”¹⁷⁰ Joyner was released from custody on May 21, 2020.¹⁷¹

E. Violations of Law

VPB’s decision to grant Anthony Joyner parole violated Va. Code § 53.1-155(B), because the Board failed to “endeavor diligently” to contact the victims of Joyner’s multiple burglaries, multiple armed robberies, malicious wounding, and unlawful wounding before casting the necessary votes to release him.¹⁷²

Release of Anthony Sexton

A. Sentencing Information

Anthony Sexton was sentenced in Portsmouth Circuit Court on May 4, 1973 to 15 years for robbery and two years each for two counts of attempted murder.¹⁷³ On June 8, 1973, also in Portsmouth Circuit Court, Sexton was sentenced to 3 months for assault and 2 years for aiding a prisoner in an escape.¹⁷⁴ Sexton was released on parole on February 27, 1979.¹⁷⁵

On July 8, 1981, Sexton was convicted in the Portsmouth Circuit Court of two counts of sale of heroin and sentenced to 40 years on each count.¹⁷⁶ His parole was revoked on August 24, 1981, and he was released again after serving nine years on July 30, 1990.¹⁷⁷ On March 8, 1994, Sexton was arrested again and returned to custody as a parole violator.¹⁷⁸

On November 2, 1994, Sexton was convicted in the Portsmouth Circuit Court of possession of heroin with intent to distribute and sentenced to 16 years with 8 suspended.¹⁷⁹ Sexton’s parole was revoked on November 29, 1994, and after serving eleven years, he was released on parole for the third time on December 19, 2005.¹⁸⁰ Sexton was arrested again on May 3, 2007 for a misdemeanor as well as technical violations of parole.¹⁸¹ His probation was also revoked and he was sentenced to 6 months to serve.¹⁸²

Sexton was released on parole on August 10, 2009 and arrested again for selling drugs on November 6, 2009.¹⁸³ On May 17, 2010, he was convicted of manufacture of a schedule I or II controlled substance, 3rd offense, in the Portsmouth Circuit Court and sentenced to 10 years.¹⁸⁴ Following his latest conviction, Sexton’s parole was revoked on August 6, 2010.¹⁸⁵ Sexton’s total parole-eligible sentence at this time was 115 years and 18 months.¹⁸⁶

B. Prior Criminal History and Institutional Discipline

Before his adult convictions for attempted murder and robbery, Sexton was adjudicated delinquent as a juvenile for burglary and armed robbery.¹⁸⁷ Sexton committed two institutional infractions while incarcerated.¹⁸⁸

C. Parole Examiner Interview and Recommendation

Sexton was interviewed by a parole examiner on January 28, 2020 while incarcerated at Greenville Correctional Center.¹⁸⁹ The examiner noted that Sexton “will be 65 years old in March. He has been incarcerated this time since the age of 54 when he was returned as a parole violator with a new offense. He has served approximately 11 years of his now 115-year and 9-month sentence.”¹⁹⁰ The parole examiner recounted Sexton’s prior parole failures and noted that

according to a COMPAS recidivism assessment, Sexton was a medium risk for general recidivism.¹⁹¹ The examiner recommended against releasing Sexton.¹⁹²

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB members voted on Sexton's case between February 14, 2020 and March 25, 2020.¹⁹³ On February 14, 2020, member A. Lincoln James voted to not grant Sexton parole.¹⁹⁴ On February 27, 2020, Chair Adrienne Bennett voted to grant Sexton parole.¹⁹⁵ On March 10, 2020, member Kemba Pradia voted to grant Sexton parole.¹⁹⁶ On March 25, 2020, member Sherman Lea provided the final necessary vote to grant Sexton parole.¹⁹⁷ VPB records list the "Decision Date" in Sexton's case as "03/25/2020."¹⁹⁸ VPB certified its decision to grant Sexton parole on March 31, 2020.¹⁹⁹

Since 2005, the Board did not document any other attempts to research or contact the victims of Sexton's offenses.²⁰⁰ Sexton's multiple drug distribution convictions had no civilian victims.

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Portsmouth Commonwealth's Attorney's Office on April 6, 2020; a return receipt indicated that the Portsmouth Commonwealth's Attorney's Office received the notification on April 28, 2020.²⁰¹ Sexton was released from Greensville Correctional Center on May 21, 2020.²⁰²

E. Adjustment to Parole Supervision

Less than four months after his release, Sexton was arrested in York County on September 16, 2020 and later found guilty on January 16, 2021 of felony possession of a schedule I or II controlled substance and misdemeanor hit and run.²⁰³ Sexton was sentenced to serve ten months, and his driver's license was suspended for six months. Sexton's parole was revoked on March 30, 2021.²⁰⁴ Sexton remains in custody as of the release of this report.²⁰⁵

F. Violations of Law

VPB's decision to grant Anthony Sexton discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of Sexton's attempted murder and robbery convictions before casting all the necessary votes to release him.²⁰⁶

Release of Armar Nelson

A. Sentencing Information

After pleading not guilty and being convicted by a jury in Portsmouth Circuit Court of first-degree murder, abduction, attempted robbery, and three counts of use of a firearm in the commission of a felony (date of offense April 19, 1994), then-18-year-old Armar Nelson was sentenced to life in prison plus 26 years on October 24, 1995.²⁰⁷ Nelson later pled guilty to an unrelated 1993 robbery and was sentenced to serve five years concurrently with his life sentence.²⁰⁸

B. Facts of Parole-Eligible Offenses

On September 9, 1993, [REDACTED] went to the check cashing facility in the 3800 block of George Washington Highway in Portsmouth.²⁰⁹ [REDACTED] saw two young men he knew from school while he was cashing his check.²¹⁰ [REDACTED] received his money, left, and the two young men from school, Armar Nelson and codefendant Darron Sparrow, asked him for a ride; he agreed.²¹¹ Sparrow got into the passenger seat and Nelson rode in back.²¹²

While [REDACTED] was driving, Sparrow and Nelson got out 9mm and .45 handguns and each put their gun to [REDACTED]'s head.²¹³ They forced [REDACTED] to park his car on a street off of George Washington Highway.²¹⁴ Nelson and Sparrow then took over \$400 from [REDACTED] and made him get out of the car.²¹⁵ One of the two fired a shot in the air as [REDACTED] was leaving.²¹⁶ Nelson and Sparrow realized as [REDACTED] was walking away that his car was a five speed, and they did not know how to drive it.²¹⁷ Nelson and Sparrow made [REDACTED] come back and drop them back off in the 3800 block of George Washington Highway.²¹⁸ They told [REDACTED] they would kill him if he told anyone about what had happened.²¹⁹

On April 19, 1994, two individuals, one named [REDACTED] and one named [REDACTED] were walking to a telephone booth near the Lincoln Park housing complex when they were approached by Armar Nelson and an associate.²²⁰ Nelson told [REDACTED] to leave the scene.²²¹ Nelson then attempted to rob the other individual, 23-year-old [REDACTED], by pushing him against a vehicle and pointing a gun to his head.²²² As [REDACTED] ran to his apartment, he heard gunshots.²²³ A short time later, the other man returned to the scene to discover [REDACTED] suffering from gunshot wounds; [REDACTED] died shortly thereafter.²²⁴

C. Prior Criminal History and Institutional Discipline

Shortly prior to his April 1994 arrest for murder, Nelson was convicted of trespass and a concealed weapon offense in Portsmouth Circuit Court.²²⁵ Nelson was wanted for failure to appear for his presentence interview at the time he committed the April 1994 murder.²²⁶

Nelson committed 35 institutional infractions while incarcerated, including four instances of indecent exposure, three instances of being under the influence of illegal drugs, aggravated assault, and possession or use of a weapon.²²⁷

D. Parole Examiner Interview and Recommendation

Nelson was interviewed by a parole examiner on December 3, 2019 for the thirteenth time since becoming eligible for parole.²²⁸ Nelson stated that he did not want to make the murder victim appear to look bad, but according to Nelson, he and the victim were both into the "life," selling drugs and all that went along with that.²²⁹ Nelson stated that he was trying to take something from the victim that the victim didn't want to give up, "so I shot him."²³⁰ The examiner recommended against releasing Nelson.²³¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB received opposition input from mother of murder victim [REDACTED] on November 8, 2013:

[The victim's mother] stated that she does not believe that Armar Rashad Nelson has spent sufficient time in the correctional system to warrant his release. He took the life of her son, a young college student who had tremendous potential. She stated that she misses [REDACTED] every day. To think that she is growing up without her baby and seeing what he would have done with his life hurts deeply. When he was killed she literally los[t] over two years of her life. Burying a child is a tragedy, but having a child murdered is something that words cannot describe. This was a horrible and senseless crime. Armar Nelson is only 38 years old. He is still a young man. Her son was never able to reach the age of 25 or 38. Armar

Nelson needs to spend more time in jail to understand the seriousness of the murder of [REDACTED] and to realize that there are stern consequences to the violent life he led.²³²

On January 9, 2020, VPB employee Laura Hall input a lengthy note into Nelson's file indicating a meeting between VPB member Kemba Pradia and Nelson's supporters. One of Nelson's supporters noted that Nelson had a job available doing HVAC work with Darron Sparrow, the codefendant with whom Nelson committed his 1993 robbery.²³³

VPB began voting on Nelson's case on January 21, 2020, when member Kemba Pradia voted to grant Nelson discretionary parole.²³⁴ Chair Adrienne Bennett then voted to grant Nelson parole on February 6, 2020. Member Sherman Lea voted to grant Nelson parole on March 14, 2020.²³⁵ On March 15, 2020, member Linda Bryant cast the final necessary vote to grant Nelson parole.²³⁶ VPB records list the "Decision Date" in Nelson's case as "03/15/2020."²³⁷ VPB records also reflect that this was the second round of voting on Nelson's case, but the results of the first round are no longer stored.²³⁸

VPB documented no attempts to personally contact the victim's mother before beginning to vote to release Nelson.²³⁹ In a March 17, 2020 note, Victim Input Coordinator Lisa Bowen noted the following:

VICTIM RESEARCH COMPLETE - [REDACTED], mother of the murder victim [REDACTED], is registered for notifications in VINE. Her address information is current according to the database. She has not provided opposition input since November 2013. There are three anonymous phone numbers registered in VINE also. I ran all three through the database. Two are active but I was not able to make a connection to the victim or offender. One is no longer active according to the database. No further research is necessary.²⁴⁰

VPB certified its decision to grant Nelson parole on March 30, 2020.²⁴¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Portsmouth Commonwealth's Attorney's Office on March 31, 2020; no return receipt was ever received.²⁴² On April 10, 2020, Victim Input Coordinator Lisa Bowen made the following note:

VICTIM NOTIFICATION - Three anonymous phone numbers in VINE. One I left a VM but no indication of who the number belongs to, second the person answering did not know who the offender was, and the third was no longer in service. Victim's mother will be notified of offender's upcoming release on 04/22/2020 via letter notification from VINE.²⁴³

Nelson was released from Buckingham Correctional Center on April 22, 2020.²⁴⁴ On May 21, 2020, Board employee Shirley Smith noted that "Commonwealth Attorney letter notifying of discretionary parole was returned as "unclaimed and unable to forward."²⁴⁵ The letter was sent to an outdated address for the Portsmouth Commonwealth's Attorney's Office.

F. Violations of Law

VPB violated Va. Code § 53.1-136(3)(c) by failing to notify the Portsmouth Commonwealth's Attorney of its decision to grant Armar Nelson parole at least 21 business days prior to Nelson's release.

Release of Aubrey Lawrence

A. Sentencing Information

Aubrey Lawrence was convicted of robbery and grand larceny in Newport News Circuit Court on January 18, 1990.²⁴⁶ Lawrence committed those offenses on August 13, 1989, one day before turning 19 years old.²⁴⁷ Lawrence was quickly released on parole, but a parole violation was issued on November 13, 1991 after he was convicted of brandishing a firearm.²⁴⁸ However, on November 25, 1991, Lawrence's violation proceeding was withdrawn, and Lawrence was released from incarceration with no parole supervision on November 27, 1991.²⁴⁹ Lawrence was arrested in Norfolk less than two months later on January 23, 1992 for rape, four counts of robbery, statutory burglary, and attempted robbery.²⁵⁰

Lawrence was sentenced to three years for his 1990 Newport News robbery and grand larceny.²⁵¹ On November 20, 1992, he was sentenced in Norfolk Circuit Court to 20 years for rape, 5 years for burglary (concurrent sentence), four 10-year terms for robbery, and 2 years for attempted robbery.²⁵² Lawrence's total active sentence was 65 years.²⁵³

B. Facts of Parole-Eligible Offenses

On January 23, 1992 at 5:45 a.m. at the House Diner in Norfolk, Lawrence robbed employee [REDACTED] of \$48.00.²⁵⁴ Lawrence entered the restaurant, presented a note demanding money, and kept his hand in his pocket, implying that he had a weapon.²⁵⁵ [REDACTED] gave Lawrence the money and he fled the scene.²⁵⁶

On January 26, 1992 at 4:55 a.m., Lawrence robbed [REDACTED] of her purse.²⁵⁷ Lawrence entered the 7-11 store where [REDACTED] was employed and asked her about purchasing some candy.²⁵⁸ Lawrence then demanded money from the cash register at knifepoint.²⁵⁹ [REDACTED] was unable to open the register, and Lawrence came behind the counter.²⁶⁰ Lawrence then took [REDACTED]'s purse and fled the scene.²⁶¹

On February 5, 1992 at 9:48 a.m., Lawrence robbed the Signet Bank in Norfolk.²⁶² Lawrence entered the bank, approached teller [REDACTED], and presented a note that read, "I have a gun. Empty the register and no one gets hurt."²⁶³ [REDACTED] pulled money from her cash drawer and placed it on the counter.²⁶⁴ Lawrence took \$1,605.00 and fled.²⁶⁵

On February 5, 1992 between 6:15 a.m. and 7:15 a.m., Lawrence entered the apartment of [REDACTED], located at [REDACTED] in Norfolk, through a window.²⁶⁶ Lawrence entered [REDACTED]'s bedroom and she began to scream.²⁶⁷ Armed with a knife, Lawrence ordered her to be quiet or he would kill her.²⁶⁸ The subject then pulled the bed cover off of [REDACTED], placed a pillow over her face and instructed her to open her legs.²⁶⁹ Lawrence pulled his penis out through his pants and had sex with the victim against her will.²⁷⁰ Lawrence then tied [REDACTED] up using belts from her closet.²⁷¹ He fled the scene, taking her keys and television.²⁷²

Lawrence confessed to police his involvement in all the aforementioned crimes; however, he claimed that he did not enter the rape victim's apartment through the window, but rather, through the front door, because the keys had allegedly been left in the lock.²⁷³ Lawrence additionally denied possessing a knife during the burglary and rape.²⁷⁴ Lawrence claimed that he committed the multiple counts of robbery, as well as the burglary and rape, to support his drug habit.²⁷⁵ He claimed that he hoped to be caught while committing the bank robbery and the rape.²⁷⁶

C. Prior Criminal History and Institutional Discipline

At age 17, Lawrence was adjudicated delinquent of two counts of grand larceny.²⁷⁷ Between 1993 and 2010, Lawrence committed 31 institutional infractions, including seizing/holding hostages, possession of contraband, and being under the influence of drugs.²⁷⁸

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Lawrence on November 7, 2019 at St. Brides Correctional Center. The examiner recommended against releasing him.²⁷⁹

E. Parole Board Deliberations and Victim and Prosecutor Contact

On August 15, 2019, Lawrence's wife called VPB employee Shirley Smith asking that Lawrence not be granted parole at his upcoming interview.²⁸⁰ Lawrence's wife stated that she was very afraid of him, that she was seeking a divorce and Lawrence was extremely angry.²⁸¹ Lawrence's verbal expressions of anger caused her to be in fear of him.²⁸² Lawrence's wife had previously contacted VPB in support of him in 2018 and twice in 2014.²⁸³

VPB employee Laura Hall made a lengthy entry into Lawrence's file notes detailing a November 13, 2019 "board appointment" between member Kemba Pradia, Lawrence's daughter, and a friend/advocate Shakil Ali (an ex-parolee formerly known as Charles McGuffin Jr.).²⁸⁴

VPB member Linda Bryant noted that VPB requested an evaluation on December 10, 2019 to determine if Lawrence required further screening under the Sexually Violent Predator Act.²⁸⁵ On January 30, 2020, VPB was informed that no further screening was necessary.²⁸⁶

Member Kemba Pradia noted on February 11, 2020 that "[d]uring a visit to St. Brides Correctional Center in Dec. 2019, I had a chance to ask the Warden Dara Watson about Lawrence and she supported his being granted parole by saying she thinks he is ready. Also, I asked [Board employee] C. King to monitor Lawrence's phone calls because of the note regarding his wife feeling threatened and there were no red flags."²⁸⁷

VPB began voting on Lawrence's case on February 11, 2020, when member Kemba Pradia voted to grant him discretionary parole.²⁸⁸ Member Sherman Lea voted to release Lawrence on March 17, 2020, and member A. Lincoln James cast the final necessary vote to release Lawrence on March 26, 2020.²⁸⁹ VPB records list the "Decision Date" in Lawrence's case as "03/26/2020."²⁹⁰ VPB records also reflect that this was the second round of voting on Lawrence's case, but the results of the first round are no longer stored.²⁹¹ VPB certified its decision to grant Lawrence parole on March 26, 2020.²⁹² VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk Commonwealth's Attorney's Office on April 3, 2020; the notification was received on April 10, 2020.²⁹³

On April 14, 2020, Victim Input Coordinator Lisa Bowen input a note reading "VICTIM NOTIFICATION - Two anonymous phone numbers in VINE. One rings busy and one does not answer. Trying to notify of offender's upcoming release."²⁹⁴ No other information regarding victim research or contact exists in VPB files.²⁹⁵ Lawrence was released from St. Brides Correctional Center on April 24, 2020.²⁹⁶

F. Violations of Law

VPB's decision to grant Aubrey Lawrence discretionary parole violated Va. Code § 53.1-

155(B), because VPB failed to “endeavor diligently” to contact the family of Lawrence’s murder victim or his unlawful wounding victim. VPB further documented no efforts to contact Lawrence’s robbery, burglary, or rape victims before voting to grant Lawrence parole. The only victim efforts documented by VPB occurred after voting was complete and Lawrence’s release was imminent.

VPB’s decision to grant Aubrey Lawrence parole further violated Va. Code § 53.1-136(3)(c), because the prosecutor notification was mailed with fewer than 21 business days remaining until Lawrence’s release.

Release of Bert Jordan

A. Sentencing Information

39-year-old Bert Jordan was convicted of three robberies in Hampton and Newport News between 1998 and 1999.²⁹⁷ Jordan received a total active sentence of 32 years.²⁹⁸

B. Prior Criminal History and Institutional Discipline

Jordan has prior convictions for robbery, burglary, grand larceny, and forgery.²⁹⁹ Jordan was initially released from his robbery sentence on discretionary parole in 1991.³⁰⁰ His parole was revoked in 1993, and he completed his sentence and was discharged from parole in 1996.³⁰¹ Jordan committed 8 institutional infractions while incarcerated, including five counts of possessing or being under the influence of intoxicants.³⁰²

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Jordan on November 6, 2019 at Deerfield Correctional Center.³⁰³ Jordan told the examiner that he understood what “geriatric parole” was all about, and that he had straightened out since a period about 10 years before when he was transferred to a higher-security facility, Wallens Ridge State Prison, due to bad behavior.³⁰⁴ Jordan stated that he had a new mindset, he had let go of past substance abuse problems, and he had a good home plan and support system.³⁰⁵ The examiner recommended that Jordan be released.³⁰⁶

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted four letters and contacts in support of Jordan between 2019 and 2020.³⁰⁷ On January 14, 2020, Chair Adrienne Bennett voted to grant Jordan geriatric conditional release.³⁰⁸ On January 15, 2020, member Kemba Pradia voted to release Jordan.³⁰⁹ On January 16, 2020, member A. Lincoln James cast the final necessary vote to release Jordan.³¹⁰ VPB records list the “Decision Date” in Jordan’s case as “01/16/2020.”³¹¹ Between February 13 and February 27, 2020, Victim Input Coordinator Lisa Bowen placed three notes in Jordan’s file detailing her outreach to the Hampton and Newport News Victim/Witness programs to obtain victim information; the Newport News program did not have any information, and the Hampton program replied that Jordan’s robbery victim was deceased.³¹²

On March 29, 2020, Chair Bennett input a note stating “Ready to Certify.”³¹³ VPB certified its decision to grant Jordan geriatric conditional release on March 30, 2020.³¹⁴ VPB staff mailed a notification of Jordan’s upcoming release to the Hampton Commonwealth’s Attorney’s Office on March 31, 2020; there is no record of a notification to the Newport News Commonwealth’s Attorney’s Office.³¹⁵ Jordan was released from Deerfield Correctional Center on July 1, 2020.³¹⁶

E. Violations of Law

No violations found.

Release of Bobby Preston

A. Sentencing Information

Bobby Preston, age 19, was sentenced to 60 years for first-degree murder and one year for a firearm offense on August 3, 1982 in Roanoke City Circuit Court.³¹⁷ On November 5, 1990, Preston was sentenced to an additional five years for unlawful wounding against a correctional officer at Buckingham Correctional Center.³¹⁸ He served 28 years and was released on discretionary parole in 2010.³¹⁹

Then-55-year-old Preston's parole was revoked in 2017 after he was convicted of misdemeanor domestic assault & battery and felony grand larceny in Greenville.³²⁰

B. Facts of Parole-Eligible Offenses

Preston and his female codefendant robbed a market in Roanoke City.³²¹ Preston's female codefendant was the leader and the shooter; after making the 23-year-old victim lie down on the floor, she shot the victim four times.³²² In 1990, Preston committed unlawful wounding against a correctional officer at Buckingham Correctional Center who was attempting to break up a fight between Preston and another inmate.³²³

C. Prior Criminal History and Institutional Discipline

Before his murder conviction, Preston was adjudicated delinquent of petit larceny, as well as arson for setting fire to his foster parents' home.³²⁴ Preston committed 41 institutional infractions between 1983 and 2019, with the majority occurring 1983 and 2000.³²⁵ On August 30, 2019, Preston received an infraction for stealing state property.³²⁶ His other institutional misconduct included threatening bodily harm, assault, possession of stolen property, and 10 counts of possessing or being under the influence of intoxicants.³²⁷

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Preston on January 9, 2020 at Deerfield Correctional Center.³²⁸ Preston told the examiner he wanted VPB to know he understood he had over 19 years of "new law" time (his suspended sentence for grand larceny) over his head when released.³²⁹ He added that he got frustrated with his probation officer while previously on parole because they would not take him up for early release from parole when asked.³³⁰ The examiner additionally noted Preston's history of polysubstance abuse dating to 1981, including marijuana, cocaine, heroin, LSD, Preludin, Talwin, and assorted depressants and stimulants.³³¹ The examiner recommended that VPB deny Preston's release.³³²

E. Parole Board Deliberations and Victim and Prosecutor Contact

A VPB note from before 2002 stated that "A family member of the homicide victim in this case has requested to be notified of any parole action taken regarding Bobby Lewis Preston, #129978. No input at this time. Co-defendant (sic) is Sharon Burnette, #129561. Notification has been sent of impending interview." No further information about victim research or contact exists in VPB files, and there is no information that VPB took any action to locate or notify the victim's

family members before voting to release Preston in 2020.³³³

VPB began voting on Preston's case on February 19, 2020, when member Kemba Pradia voted to grant Preston discretionary parole.³³⁴ Member A. Lincoln James voted against releasing Preston on March 6, 2020.³³⁵ Chair Adrienne Bennett voted to grant Preston parole on March 21, 2020.³³⁶ On March 25, 2020, a prison counselor completed a COMPAS recidivism assessment on Preston, resulting in a medium risk of general and violent recidivism.³³⁷ Member Sherman Lea cast the final necessary vote to grant Preston parole on March 26, 2020.³³⁸ VPB records list the "Decision Date" in Preston's case as "03/26/2020."³³⁹ VPB certified its decision to grant Preston parole on March 31, 2020.³⁴⁰ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Greenville and Buckingham Commonwealth's Attorney's Offices on April 3, 2020; an undated return receipt showed that the Greenville Commonwealth's Attorney received the notification, and a return receipt showed that the Buckingham Commonwealth's Attorney's Office received the notification on April 13, 2020.³⁴¹ Preston was released from Deerfield Correctional Center on April 21, 2020.³⁴²

F. Violations of Law

VPB's decision to grant Bobby Preston discretionary parole violated Va. Code § 53.1-155(B), because the Board failed to "endeavor diligently" to contact the family of Preston's murder or unlawful wounding victims. VPB documented no efforts to contact Preston's victims or their families in conjunction with his 2020 release.

VPB further violated Va. Code § 53.1-136(3)(c) twice by failing to notify the Greenville and Buckingham Commonwealth's Attorneys of its decision to grant Preston parole at least 21 business days prior to Preston's release.

Release of Charles Sheppard

A. Sentencing Information

Charles Sheppard was sentenced on March 22, 1983 in Northampton Circuit Court for convictions of rape, three counts of robbery, and three counts of use of a firearm in the commission of a felony.³⁴³ For the first robbery, which occurred on August 26, 1986, Sheppard was sentenced to 20 years concurrent with his other sentences, with an additional two years for use of a firearm.³⁴⁴ For the second robbery, which occurred on August 27, 1982, Sheppard was sentenced to 30 years concurrent with his other sentences, with an additional four years for use of a firearm.³⁴⁵ For the rape and third robbery, which occurred on August 28, 1982, Sheppard was sentenced to 40 years for robbery (concurrent with his other sentences), 40 years for rape (consecutive to his other sentences), and four years for use of a firearm.³⁴⁶ Sheppard's total active sentence was 140 years, 90 years of which ran concurrently.³⁴⁷

Sheppard was granted mandatory parole in 2010.³⁴⁸ He violated his mandatory parole and sex offender conditions in July 2015 by unlawfully having contact with a minor child under 18; Sheppard also violated parole conditions by changing his address without his probation officer's approval and then lying about his address change.³⁴⁹

B. Facts of Parole-Eligible Offenses

On August 26, 1982, [REDACTED] and [REDACTED] were sleeping in their car at a rest stop south of Exmore in Northampton County when Charles Sheppard approached their car.³⁵⁰

Sheppard tapped on the window, waking them up, and told them they could not sleep at the rest area, falsely claiming he had police authority to ask them to move.³⁵¹ Mr. █████ rolled down his window and Sheppard presented a .25 firearm and demanded money.³⁵² Mr. █████ gave Sheppard \$247.00.³⁵³ Sheppard then took Ms. █████'s pocketbook, looked through it, threw it back into the car, and left.³⁵⁴

The next night, August 27, 1982, Sheppard approached the vehicle of Mr. and Mrs. █████ as they slept at the same rest stop in Exmore at 12:31 a.m.³⁵⁵ Sheppard produced a gun and demanded money.³⁵⁶ Mr. █████ told Sheppard he had no money; Sheppard then noticed Mrs. █████ in the back of the vehicle and forced her to get into a front seat.³⁵⁷ Sheppard fired his gun into the ground and stated that he meant business.³⁵⁸ Sheppard was given \$255.00 and he left the area.³⁵⁹ Fingerprints lifted from the █████ vehicle were later matched to Sheppard.³⁶⁰

The next night, August 28, 1982, █████, his wife █████, and their three-year-old child were resting in their vehicle at 2:30 a.m. at the same rest stop in Exmore.³⁶¹ Sheppard approached their vehicle, pointed a gun at them, and demanded money.³⁶² The █████ offered a wheel rim, as they had little money.³⁶³ They then gave Sheppard \$50 after the wheel rim was insufficient.³⁶⁴ Sheppard then made Mr. █████ get out of the vehicle and sit on a picnic table nearby.³⁶⁵ The three-year-old child began to cry, and Sheppard threatened the family if the child was not kept quiet.³⁶⁶ Sheppard then raped Mrs. █████ while keeping a gun on the three-year-old child; Mr. █████ was forced to watch while sitting on the picnic table.³⁶⁷

C. Prior Criminal History and Institutional Discipline

Sheppard was placed on probation at age 10 for making three bomb threats to the Hare Valley Elementary School in Northampton County.³⁶⁸ While incarcerated for his adult convictions, Sheppard committed 31 institutional infractions, including assault, five instances of being under the influence of illegal drugs, fighting, three instances of possession of stolen property, indecent exposure, two instances of possession of contraband, and mail fraud.³⁶⁹

While in prison in 2016, Sheppard was indicted on two felony offenses of forcible sodomy and object sexual penetration that he committed at Powhatan Correctional Center.³⁷⁰ Sheppard pled guilty (via *Alford v. North Carolina*) in Powhatan Circuit Court to two misdemeanor counts of sexual battery and received consecutive 12-month sentences.³⁷¹ Sheppard forced a fellow inmate to perform oral sex on him while Sheppard penetrated the inmate's anus with his fingers.³⁷²

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Sheppard on July 15, 2019 at Sussex I State Prison.³⁷³ The examiner noted that Sheppard admitted to the 1982 robberies, but did not know why he committed the rape.³⁷⁴ Referencing his 2016 sexual battery guilty pleas, Sheppard denied committing the offenses and claimed that the victim was a homosexual whose motive in reporting Sheppard was to obtain a transfer to a different prison.³⁷⁵ The examiner recommended against releasing Sheppard:

There were a number of discrepancies during this interview. The sexual assault happened at a receiving unit where everyone is transferred and why did he have to say that the victim was a homosexual. He minimized his conduct while on parole supervision. Parole is not recommended based on his technical violation and serious sexual assault on another inmate.³⁷⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

Charles Sheppard was previously deemed ineligible for discretionary parole by VADOC under Va. Code § 53.1-151(B1). In March 2019, VPB restored Sheppard's discretionary parole eligibility in a letter signed by Chair Adrienne Bennett.

On August 29, 2019, Vice-Chair Jean Cunningham voted against granting Sheppard discretionary parole.³⁷⁷ No further information was placed in Sheppard's file until February 2020, when VPB administrator Tracy Schlagel input a note, available to all Board members, stating "The CRC has indicated that the SVP review is complete and this case has been referred to the OAG for review and action."³⁷⁸ This note placed VPB members on notice that Virginia's 7-member "Commitment Review Committee"³⁷⁹ had determined that Sheppard was likely a sexually violent predator under Virginia law, and that Sheppard's case was being referred to the Office of the Attorney General's Sexually Violent Predators Civil Commitment section for further legal action. Despite this notification, VPB continued with Sheppard's discretionary parole consideration.

On March 2, 2020, Victim Input Coordinator Lisa Bowen input a note stating that she had sent a victim notification letter to Sheppard's 2016 sexual battery victim, who was still incarcerated in VADOC.³⁸⁰ There is no evidence in VPB records showing any attempts by VPB to contact Sheppard's rape victim.³⁸¹ We later learned that after VPB decided to release Sheppard, the Office of the Attorney General's Victim Input staff found contact information for Sheppard's rape victim while assisting with Sheppard's sexually violent predator commitment preparation. As a result of OAG's outreach, Sheppard's rape victim was prepared to testify at Sheppard's civil commitment hearing. The victim later contacted VPB of her own accord.

On March 16, 2020, Chair Adrienne Bennett voted to grant Sheppard discretionary parole.³⁸² On March 26, 2020, member A. Lincoln James voted to grant Sheppard parole.³⁸³ The same day, member Kemba Pradia cast the final necessary vote to grant Sheppard parole.³⁸⁴ Board records list the "Decision Date" in Sheppard's case as "03/26/2020."³⁸⁵

On March 27, 2020, Victim Input Coordinator Bowen noted that no response had been received from Sheppard's 2016 sexual battery victim; while no effort had been made to locate Sheppard's rape victim, Bowen wrote, "No further research is necessary. Ready to certify."³⁸⁶

On March 29, 2020, Chair Adrienne Bennett input a note stating "This a complex case. Petitioner will be going through the civil commitment process. I know this case very well and can answer any questions even after I am no longer with the Parole Board."³⁸⁷ VPB certified its decision to grant Charles Sheppard discretionary parole on March 30, 2020.³⁸⁸ On April 20, 2020, then-Vice-Chair Linda Bryant input the following note into Sheppard's file:

Notified Eric Madsen³⁸⁹ that Sheppard received a PB Board grant on 3/26/2020, and that notifications were completed on 3/30/2020. (This individual's SVP screen came back requiring a full SVP evaluation, which was completed in February, 2020 and, given his pending release date, requires the OAG to consider him for civil commitment).³⁹⁰

On April 24, 2020, in Northampton Circuit Court, the Sexually Violent Predators Civil Commitment Unit of the Virginia Office of the Attorney General filed a complaint seeking to have Sheppard declared a sexually violent predator and committed to a secure facility.³⁹¹ In the publicly filed complaint, OAG stated that Sheppard had been diagnosed by a licensed clinical psychologist,

experienced in the diagnosis and risk assessment of sex offenders, with “Other Specified Paraphilic Disorder (Non Consent) and Other Specified Personality Disorder (Antisocial Traits).”³⁹² OAG noted that Sheppard’s diagnosing clinical psychologist had determined that “because of his mental abnormalities and/or personality disorders [Sheppard] finds it difficult to control his predatory behavior, which makes him likely to engage in sexually violent acts.”³⁹³ The petition to commit Sheppard as a sexually violent predator concluded with the assertion that “The Attorney General alleges that [Sheppard] meets the criteria under the [Sexually Violent Predators Civil Commitment] Act as a “sexually violent predator.”³⁹⁴

The Northampton Circuit Court entered an order finding probable cause that Sheppard was a sexually violent predator on November 9, 2020.³⁹⁵ After additional proceedings and psychiatric evaluations, Sheppard stipulated that he was a sexually violent predator and agreed to the entry of a court order finding him to be a sexually violent predator.³⁹⁶ OAG later withdrew the order adjudging Sheppard as a sexually violent predator upon learning that VPB had rescinded Sheppard’s parole grant.³⁹⁷ Individuals can only be civilly committed as sexually violent predators under Virginia law³⁹⁸ if their release date is scheduled within 24 months; because Sheppard’s parole grant was rescinded, he no longer qualified for civil commitment.

As noted above, following the departure of Chair Bennett, VPB began the process of rescinding Sheppard’s parole grant. VPB sent Sheppard a notice that he had been scheduled for a “recission hearing” on August 20, 2020.³⁹⁹ The notice informed Sheppard of the following:

The Virginia Parole Board’s decision to grant you parole has been suspended and you are scheduled for a recission hearing on August 20, 2020 for the following reason(s):

The Parole Board has been advised that since the decision to grant you parole, that you have been declared a sexually violent predator and committable under the Sexually Violent Predatory (sic) Commitment Act (§ 37.2-900 Code of Virginia). The Parole Board is conducting a recission hearing to allow another review of your case.⁴⁰⁰

Following the mailing of this notice, in an August 25, 2020 email to her fellow VPB members, Kemba Pradia wrote:

“As discussed in our meeting, the above person [Sheppard] received 3 grant votes from myself, Adrienne, and A. Lincoln. Attached is the Summary Report. This new information regarding his recent offenses would impact my vote.

A question popped in my head: if someone gets caught having sex, would it be only natural for someone to cry rape so they can avoid a charge? I guess all we can go by is what’s on record. Lesson for someone who has a sex charge is not to engage in sex while in prison.

Tonya, please let me know how you would like to proceed.”

Pradia’s reference to receiving “new information” regarding Sheppard’s “recent offenses” contradicts VPB records. Sheppard’s 2016 sexual battery convictions were listed on page 2 of the Parole Board Member Summary available to her when she voted to grant Sheppard parole on March 26, 2020.

With Sheppard still in custody, the Chapman VPB began voting on whether to rescind Sheppard's parole grant from the Bennett Board. On November 12, 2020, member A. Lincoln James voted against releasing Sheppard.⁴⁰¹ In the interim, Vice-Chair Linda Bryant posted a lengthy note indicating, among other things, that Sheppard's rape victim had been found as part of the OAG's preparation for Sheppard's civil commitment proceedings. According to Bryant, the Assistant Attorney General handling the civil commitment case stated that:

[T]he victim is subpoenaed to testify at the civil commitment hearing to convey to the court special circumstances about the rape - namely that while committing the rape, Sheppard held a gun to her baby and told her that if he did not "nut," he was going to shoot her baby. Sheppard made the victim's husband watch the rape. After this offense, the victim could no longer have sex. She has suffered PTSD and her child has had had lots of issues.⁴⁰²

We spoke to the Assistant Attorney General who handled the sexually violent predator civil commitment case for Sheppard. The attorney told us that the Office of the Attorney General's victim coordinator had no difficulty finding the victim. The victim had not been contacted by VPB, and she later provided the following opposition to Sheppard's release to VPB:

Rape Victim of Charles Sheppard

1 message

Wed, Dec 1, 2021 at 9:22 AM

To: victimservices@vpb.virginia.gov

Hello I wanna start by saying I'm sorry for waiting so long to get this to you. My name is [REDACTED] I am a rape victim of Charles Sheppard inmate number 107-9185. On August 29, 1982 at approximately 3 AM in the morning my husband my three-year-old son and I were sleeping in a rest area ,we were moving from [REDACTED] to Virginia. We stopped to sleep because we were very tired. We had an older Chevy van and we were approached with a knock on the window of the driver side my husband roll the window down a little and he had a flashlight shining in his eyes. This man told us that he was a police officer and that it was a 15 minute parking only so we had to leave. My husband then rolled the window down a little more to try to get an understanding of why in a rest area we were told that we had to leave. At this point this man put a gun through the window he told my husband to get out of the van. My son was only three years old and this is what he had to witness! He told my husband to go over to a picnic area in the dark he kept the flashlight where he could see him he kept the other hand with the gun in it up to my sons head he proceeded to tell me an excuse my words but these were his exact words " He told me to takeoff my clothes" all I could think about was my poor baby boy only 3 years old watching this happen.I was scared to death I was only 18 years old. He then told me" if I don't get a nut your son will be dead" it was pouring the rain that night and it was cold I had a baby blanket there and while this was happening I was trying to cover his face with the blanket so he could not see what was happening. When he was finished he told me to throw the keys to the van so that we couldn't find them. As he started to leave my husband yelled you're one dead motherfucker. So he came back towards us.We had some tire rims that were in the van that we were moving with us. So he came back towards the van he kept yelling at my husband to shut up or he would do something that my husband would regret. I told my husband to shut up just let him go. He took one of the rims from inside the van and he busted out our headlights so that we couldn't see to drive. He took what money we had which was very little. I'm so glad he didn't take my sons life! But in a way this man has taken a lot from me and my son. Because of this man I contracted a venereal disease. Which caused me to never be able to have children. It caused lots of marital problems between my son's father and I. He blamed himself for not being able to help. Within a year we were divorced which left me with a child at the age of four and I was only 19. I have never in my life been prejudiced I think all human beings are the same! But this man has made me scared to ever be around black men.He has destroyed my life with the nightmares and the memories from that night. Knowing that it's his fault that I was never able to have anymore children. Making me feel the way I feel about black men! And my son never experiencing the feeling of having siblings it's really sad that one person one piece of crap can ruin so much! This man does not need to be on the streets he deserves to be where he's at never to see the outside of those prison walls again ...he destroyed us!!!! know that God wants us to forgive but it's really hard to forgive this man for what he has done to us! Please please I'm begging you take a long look before making your decisions. Try to think about how you would feel if this happened to you. My son has become alcoholic and never had a relationship with his father I know that's not Mr. Sheppard's fault but who knows this ate my child up inside he can remember that night as plain as day! He would say to me after that Mommy do you remember that mean man that broke our headlights on our truck and he hurt you Mommy. He never forgot! So it wasn't just my life that he ruined he ruined another life of a child with the memory of this his whole life my son is 41 years old now and he can still tell you about that night just like it was yesterday. That is just so sad! And now there's a chance that this person may get out of prison. I think this would be a big mistake I think he's going to do it again and I would hate to see anything like this happen to anybody else or worse but the decision is in your hands I just beg you to please look at everything this man has done not just us but the people that he robbed the nights before us. I'm just glad that we all walked away with our lives. But he sure does not deserve one he deserves where he's at for the rest of his. I never got a chance to thank the wonderful people the police officers the nurses the doctors who helped us through this that night. I wish there was a way I could thank them all. Thank you again for taking the time and I'm so glad and I hope this makes it to you on time before you make a decision on releasing Mr. Sheppard. Could you please respond and let me know that you received this please.Thank you so much and Happy Holidays.

On December 30, 2020, Vice-Chair Bryant input another note in Sheppard's file acknowledging that VPB voted to release Sheppard without victim input:

Based on the information I learned from the AAG handling the civil commitment case re the facts of the offense, the impact on the rape victim (which the PB did not have at the time it voted to grant) combined with the circumstances surrounding the conviction for sexually assaulting an inmate, and the fact the victim of the initial rape will have to come to court from out of state to testify in this SVP case, I am

voting to continue with the rescission hearing. I have dealt with many victims of rapes that have a very difficult time in life and I have concerns that the victim will not have it in her to make it to Virginia to testify at the SVP case, and I don't want to take any chances with the SVP hearing being dismissed due to the failure of the victim, whom he viciously raped in front of her husband and baby, to appear in court decades later.⁴⁰³

Vice-Chair Bryant voted against releasing Sheppard the same day.⁴⁰⁴ On January 22, 2021, Chair Tonya Chapman voted against releasing Sheppard.⁴⁰⁵ On February 17, 2021, member Kemba Pradia voted against releasing Sheppard, officially rescinding his parole grant from the Bennett Board.⁴⁰⁶ Sheppard remains in custody at the time of this report.

F. Violations of Law

VPB's action to grant Charles Sheppard discretionary parole was rescinded after he was designated a sexually violent predator under Virginia law; as a result, we do not analyze whether statutory violations occurred.

Release of Christopher Tunstall

A. Sentencing Information

On July 22, 1992, after pleading guilty, Christopher Tunstall was sentenced by the Richmond City Circuit Court to life in prison plus 130 years for two separate counts of first-degree murder and other larceny offenses.⁴⁰⁷ For first-degree murder he committed at age 17 on November 6, 1991, Tunstall was sentenced to life in prison; Tunstall was also sentenced to 60 years with 10 suspended for robbery committed the same day, in addition to two- and four-year sentences for two counts of use of a firearm in the commission of a felony.⁴⁰⁸ For grand larceny he committed on November 9, 1991, Tunstall was sentenced to 20 years in prison with five suspended; Tunstall also received five years to serve for attempted grand larceny.⁴⁰⁹ For first-degree murder he committed on November 20, 1991, Tunstall was sentenced to 60 years with 20 suspended; he received an additional four years for use of a firearm in the commission of murder.⁴¹⁰

B. Facts of Parole-Eligible Offenses

On November 6, 1991, in the 500 block of Fritz Street in the city of Richmond, Tunstall shot ██████████ in the back twice, killing him; Tunstall also robbed ██████████ of his wallet.⁴¹¹ Tunstall later admitted that he was out of control and that this killing was retaliation for his brother's death.⁴¹²

On November 9, 1991, ██████████ and ██████████ were at Glenn's Restaurant on Chamberlayne Avenue in Richmond.⁴¹³ ██████████ went to the bathroom and Tunstall approached him, pointed a gun at him, and demanded money.⁴¹⁴ ██████████ told Tunstall that he did not have any money.⁴¹⁵ In search of money, Tunstall forced ██████████ to sit down on the floor and take his boots and socks off.⁴¹⁶ Tunstall then forced ██████████ to lay still, face down on the floor.⁴¹⁷ Tunstall then went back to the restaurant area and told ██████████ that his friend needed him in the bathroom.⁴¹⁸ Tunstall followed ██████████ to the bathroom, and once ██████████ entered, Tunstall held him at gunpoint and ordered him to lay down on the floor, disrobe, and give him all his money.⁴¹⁹ ██████████ complied. The restaurant owner was alerted to the incident and went to the bathroom, where he saw men on the floor as well as Tunstall, armed with a gun.⁴²⁰ The restaurant owner knew

Tunstall and Tunstall's mother, and he had previously barred Tunstall from his restaurant.⁴²¹ Tunstall then ran out the front door after a short argument.⁴²²

On November 20, 1991, in the 1500 block of Roane Street in Richmond, Tunstall shot [REDACTED] once in the midsection and once in the back of the head, killing him.⁴²³ Tunstall admitted to killing [REDACTED] as retaliation for his brother's death.⁴²⁴

C. Prior Criminal History and Institutional Discipline

Tunstall was previously adjudicated delinquent for brandishing a firearm, grand larceny of an automobile, trespass, petit larceny, assault, and attempted petit larceny.⁴²⁵ He was on juvenile probation when he committed the two murders and robbery.⁴²⁶

Tunstall committed 170 institutional infractions while incarcerated.⁴²⁷ Tunstall committed institutional infractions regularly between 1992 and 2013, including 2017 and 2018 infractions for possessing and using illegal intoxicants.⁴²⁸ Tunstall committed 21 counts of possession of intoxicants, 19 counts of possession of contraband, five counts of assault, five counts of property damage, three counts of lewd/obscene acts, three counts of indecent exposure, threatening bodily harm, setting a fire, possession of a weapon, and forcible sexual advances.⁴²⁹

Tunstall received one criminal conviction during his incarceration in 1995 after he committed assault & battery at Augusta Correctional Center.⁴³⁰

D. Parole Examiner Interview and Recommendation

The parole examiner's March 26, 2020 interview of Tunstall at Augusta Correctional Center is relatively minimal.⁴³¹ Chair Adrienne Bennett instructed the Board's administrator to "put his case in my queue using last year's report" if an interview could not be completed:

On Sat, Mar 28, 2020 at 12:52 PM Bennett, Adrienne <adrienne.bennett@vpb.virginia.gov> wrote:

Hi Tracy -

This offender was scheduled for an interview on 3/26. His PB status is "scheduled for an interview".

If he was interviewed - if the Parole Examiner does not upload the report by Monday - please just put him in my queue to begin voting with last year's report. If the PE wants to add anything to last year's report - they can put it in as a CORIS note - but do not delay getting the report in my queue for voting.

If he was not interviewed - please go ahead and put his case in my queue using last year's report.

Thank you!

Adrienne L. Bennett

The parole examiner noted that Tunstall had committed 170 institutional infractions during his incarceration.⁴³² The examiner wrote that Tunstall admitted that when he committed his crimes,

he was out of control after the murder of his brother, and he committed his two murders as retaliation.⁴³³ The examiner recommended against releasing Tunstall.⁴³⁴

E. Parole Board Deliberations and Victim and Prosecutor Contact

Between 1993 and 2018, VPB received 14 letters and phone calls from Tunstall's supporters; VPB also took one meeting with Tunstall's supporters in August 2017.⁴³⁵

In September 2019, then-Victim Input Coordinator Dawn Winecoff input the following note into Tunstall's CORIS file regarding victim input from the sister of one of Tunstall's two murder victims:

VICTIM OPPOSITION: V-██████. Difficult for her to gather her words as she relives the horrible circumstances over her brother's death. As a social worker, she feels that almost anybody CAN rehabilitate, but wonders if someone who began their random acts of violence and aggression towards people at such a young age, truly can. She is interested in what he has to say to the examiner and what their impressions of him are. She will provide a full statement in mid-Oct.⁴³⁶

No other information regarding victim research, input, or contact appears in VPB files on Tunstall. VPB records show that Tunstall's murder victim's sister was mailed a letter on March 16, 2020 stating that Tunstall would receive a parole interview on March 26, 2020.⁴³⁷

On March 30, 2020, Chair Adrienne Bennett voted to grant Tunstall discretionary parole.⁴³⁸ On March 31, 2020, Board members Sherman Lea, A. Lincoln James, and Linda Bryant cast the other votes necessary to release Tunstall.⁴³⁹ VPB records list the "Decision Date" in Tunstall's case as "03/31/2020."⁴⁴⁰ The same day, Chair Bennett placed a note in Tunstall's file stating "Ready to certify,"⁴⁴¹ and VPB certified its decision to grant Tunstall discretionary parole.⁴⁴²

There is no evidence that VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond City Commonwealth's Attorney's Office.⁴⁴³ Tunstall was released from Augusta Correctional Center on May 11, 2020.⁴⁴⁴

F. Violations of Law

VPB's decision to grant Christopher Tunstall discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to identify and contact the family of one of Tunstall's two murder victims before voting to release Tunstall. Although VPB noted input from one member of one of Tunstall's murder victims, there is no evidence of any VPB efforts to locate and notify the other victim's family.

VPB additionally violated Va. Code § 53.1-136(3)(c) by failing to notify the Richmond City Commonwealth's Attorney of its decision to grant Tunstall discretionary parole at least 21 business days prior to Tunstall's release from custody.

Release of Clarence Smith

A. Sentencing Information

Between 1994 and 1996, Clarence Smith was convicted of 4 robberies, 6 abductions, 5 companion counts of use of a firearm in the commission of a felony, felony hit and run, and wearing a mask in public in Suffolk, Newport News, Portsmouth, and Norfolk.⁴⁴⁵ Smith's total

active sentence was 117 years.⁴⁴⁶

B. Facts of Parole-Eligible Offenses

On May 16, 1994, in Suffolk, Smith abducted the manager of a McDonalds.⁴⁴⁷ Smith threatened the manager with a handgun, demanded cash, took money from the registers, and then forced three employees into the freezer.⁴⁴⁸

On May 20, 1994, in Newport News, Smith robbed a Subway restaurant while armed with a handgun.⁴⁴⁹ Smith brandished his firearm at three store employees and demanded cash.⁴⁵⁰ Smith also forced 2 customers behind the counter at gunpoint, and he fled after taking money.⁴⁵¹

On May 20, 1994, in Norfolk, Smith robbed a sandwich shop while armed with a .25 caliber handgun.⁴⁵² Smith demanded money while brandishing the weapon, stole \$104 in cash, and fled the scene on foot.⁴⁵³

On May 22, 1994, in Norfolk, Smith entered a McDonalds restaurant wearing a mask and armed with a .25 caliber handgun.⁴⁵⁴ Smith brandished the firearm and forced multiple employees and customers into the rear of the restaurant.⁴⁵⁵ Smith then ordered the manager to open the safe, and he took approximately \$1,950 before fleeing.⁴⁵⁶

C. Prior Criminal History and Institutional Discipline

Smith's prior criminal history includes convictions for credit card fraud, disorderly conduct, trespass, and multiple criminal traffic offenses.⁴⁵⁷ Smith committed 14 institutional infractions while incarcerated, including indecent exposure, gathering in a threatening manner, and 7 instances of possession of contraband.⁴⁵⁸

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Smith on July 30, 2019 at Augusta Correctional Center.⁴⁵⁹ Smith denied that he committed the Suffolk armed robbery, but admitted the rest of the offenses.⁴⁶⁰ Smith stated that back in 1994, he was on crack cocaine and trying to support his habit; he said that he was an immature risk taker who did not understand what life was all about.⁴⁶¹

Smith told the examiner that he knew he needed to pay it forward and not look back.⁴⁶² Smith stated that he felt that he had changed for the better in prison, and he had plans for his education and work upon release.⁴⁶³ One of Smith's counselors wrote in 2019 that Smith "would be in the top 5 of anyone at [Augusta Correctional Center] to be released on parole."⁴⁶⁴ The examiner recommended that Smith be released despite noting that it was a "borderline" case.⁴⁶⁵

E. Parole Board Deliberations and Victim and Prosecutor Contact

Clarence Smith was correctly designated as ineligible for discretionary parole by VADOC under Va. Code § 53.1-151(B1). On May 21, 2018, Chair Adrienne Bennett placed the following note in Smith's file recommending that his discretionary parole eligibility be restored:

Adrienne Bennett	05/21/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: One robbery spree with companion use of firearm convictions; not at liberty between offenses; no prior or subsequent convictions of predicate offenses. Recommendation: Restore Parole Eligibility.
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Three Strikes/Parole Ineligibility Review: One robbery spree with companion use of firearm convictions; not at liberty between offenses; no prior or subsequent convictions of predicate offenses. Recommendation: Restore Parole Eligibility.⁴⁶⁶

Smith was restored to discretionary parole eligibility in a letter signed by Chair Bennett later in 2018. For the reasons more fully stated in Section V of this report, the reversal of Smith's discretionary parole ineligibility was unlawful.

On August 20, 2019, VPB member Sherman Lea voted against releasing Smith, citing the reasons "Crimes committed: Kidnap/Abduct, Kidnap/Abduct, Kidnap/Abduct; History of violence."⁴⁶⁷ On September 27, 2019, member Linda Bryant voted to grant Smith discretionary parole.⁴⁶⁸ On November 6, 2019, Chair Adrienne Bennett voted to grant Smith parole.⁴⁶⁹ On November 9, 2019, member A. Lincoln James cast the final necessary vote to grant Smith parole.⁴⁷⁰ VPB records list the "Decision Date" in Smith's case as "11/09/2019."⁴⁷¹

No information regarding victim research or input appears in VPB files until January 2020. On January 15, 2020, Victim Input Coordinator Lisa Bowen began victim research: "VICTIM RESEARCH - No registered victims in VINE/CORIS. Sent information to V/W offices in Suffolk, Norfolk, and Newport News for help with victim contact information."⁴⁷² On January 31, 2020, Bowen placed a second note in Smith's file: "VICTIM RESEARCH COMPLETE - No response received from V/W offices. No further research is necessary. Ready to certify."⁴⁷³

On March 30, 2020, Chair Adrienne Bennett input a note stating "Ready to Certify."⁴⁷⁴ VPB certified its decision to grant Smith discretionary parole the next day.⁴⁷⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk, Suffolk, and Newport News Commonwealth's Attorney's Offices on April 6, 2020; the Norfolk and Suffolk offices received the notification on April 10, 2020, and the return receipt from the Newport News office was undated.⁴⁷⁶ Smith was released from Augusta Correctional Center on May 27, 2020.⁴⁷⁷

F. Violations of Law

VPB's decision to grant Clarence Smith discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Smith's multiple robbery and abduction victims before casting all the necessary votes to release him.

Release of Clinton Jacobs

A. Sentencing Information

Clinton Jacobs was sentenced to 15 years' imprisonment in the Portsmouth Circuit Court on September 10, 1986 for an offense of selling heroin that occurred in August 1985.⁴⁷⁸ Jacobs was granted parole, and while on parole, at age 33, he committed abduction with intent to defile, rape, forcible sodomy, and attempted forcible sodomy in September 1989; he was sentenced in Portsmouth Circuit Court on April 30, 1990.⁴⁷⁹ For abduction with intent to defile, Jacobs received 20 years; for rape, Jacobs received an additional 20 years; Jacobs received a five-year sentence for attempted forcible sodomy and a ten-year sentence for forcible sodomy.⁴⁸⁰ Jacobs' total active sentence was 70 years.⁴⁸¹

B. Facts of Geriatric Conditional Release-Eligible Offenses

On September 13, 1989 at approximately 10:30pm, 13-year-old [REDACTED] was walking down Elliott Avenue in the Fairwood Homes section of Portsmouth on her way from her aunt's residence to her own home.⁴⁸² Clinton Jacobs was crossing the street and said "Hey" to the victim, who responded, "Hey."⁴⁸³ Jacobs then grabbed the victim from behind and began to choke her.⁴⁸⁴ She screamed and threw a bottle of rubbing alcohol she was carrying in his face, but Jacobs

maintained his hold and dragged her into a wooded area behind the Bi-Lo supermarket on Elliott Avenue.⁴⁸⁵ Once Jacobs forced the victim into the secluded area, pulled her by the hair, pushed her down on the ground, and then removed her shorts and underwear.⁴⁸⁶ Jacobs attempted to force the victim to perform oral sex but she tried to keep her mouth closed; despite her efforts, Jacobs succeeded in forcing his penis into her mouth.⁴⁸⁷ Jacobs then told the victim to turn over, and he penetrated her vagina with his penis.⁴⁸⁸ Jacobs then attempted to insert his penis in the victim's anus, but she blocked him.⁴⁸⁹ During the rape, Jacobs remarked, "Ain't it good?"⁴⁹⁰ Jacobs ran away after the attack, and the victim went back to her aunt's house, where she notified her parents and the police.⁴⁹¹ The victim identified Jacobs as her attacker, whom she knew by a nickname and had previously seen at a house on Greenwood Drive in Portsmouth.⁴⁹²

C. Prior Criminal History and Institutional Discipline

Jacobs has eleven prior misdemeanor convictions and one prior felony conviction, including assault, giving false information to a law-enforcement officer, and possession of marijuana.⁴⁹³ Following his release to parole supervision after his heroin distribution conviction, Jacobs initially adjusted well.⁴⁹⁴ However, he tested positive for cocaine on February 1, 1989, and his compliance with supervision quickly deteriorated thereafter.⁴⁹⁵ Jacobs was fired from his job due to absenteeism that month and continued to use cocaine.⁴⁹⁶ Jacobs was arrested for a parole violation on June 8, 1989 due to his continued abuse of illegal drugs.⁴⁹⁷ VPB restored Jacobs to supervision on August 1, 1989 with a special condition of inpatient drug treatment.⁴⁹⁸ During treatment, Jacobs made several angry outbursts and expressed feelings of uncontrollable anger.⁴⁹⁹ On September 5, 1989, Jacobs left the center after kicking another patient during an argument on the basketball court.⁵⁰⁰ Jacobs was arrested for rape shortly thereafter.⁵⁰¹

Jacobs committed 16 institutional infractions during his incarceration, including 7 counts of possession of intoxicants, three counts of possession of contraband, two assaults, fighting, and threatening bodily harm.⁵⁰²

D. Parole Examiner Interview and Recommendation

Jacobs was interviewed by a parole examiner on June 28, 2019 at Deerfield Correctional Center.⁵⁰³ This was Jacobs' 17th parole interview since becoming parole eligible, and no parole examiner had ever recommended his release.⁵⁰⁴ Jacobs claimed he was innocent of raping the 13-year-old girl.⁵⁰⁵ He stated that before his legal troubles, he was "the man," a worldly person, but that was no longer in his blood.⁵⁰⁶ Jacobs also stated that he did have a problem with cocaine, but hadn't touched it in years and did not need it in his life; according to Jacobs, "those days are gone."⁵⁰⁷ The parole examiner recommended against releasing Jacobs.⁵⁰⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

Jacobs was denied parole in 2019, a decision certified by the Board on September 7, 2019 based on votes to not grant cast by Chair Adrienne Bennett on September 7, 2019, from member Sherman Lea on September 2, 2019, and from member A. Lincoln James on August 12, 2019.⁵⁰⁹ VPB cited the following reasons for denying Jacobs parole in September 2019: "Your prior failure(s) and/or convictions while under community supervision indicate that you are unlikely to comply with conditions of release; The Board considers you to be a risk to the community; Serious nature and circumstances of your offense(s); Crimes committed – Kidnap/Abduct, Sex Assault, Rape, Heroin-Sell."⁵¹⁰

VPB employee Laura Hall noted on November 13, 2019 that member Linda Bryant took a meeting with Jacobs' mother.⁵¹¹ During that meeting, Jacobs' mother made multiple unsubstantiated claims that Jacobs was innocent and presented Bryant with copies of Jacobs' trial transcripts.⁵¹² Bryant told Jacobs' mother that "the transcripts would be necessary to move forward if Clinton was claiming to be innocent."⁵¹³

A note by VPB member Bryant on March 1, 2020 indicates that VPB had requested a screening to determine if Jacobs qualified as a sexually violent predator (SVP) under Virginia law; "victim research" was also requested.⁵¹⁴ Victim Input Coordinator Lisa Bowen made a note on March 3, 2020 that read as follows: "VICTIM RESEARCH - There are two phone numbers registered in VINE. Neither belong to the victim. The abduction/rape victim is [REDACTED]. She is [REDACTED] years old and currently lives in [REDACTED]. No contact made to date."⁵¹⁵ In a March 6, 2020 note, Victim Input Coordinator Bowen wrote the following: "VICTIM RESEARCH - Sent victim [REDACTED] victim notification letter with response deadline of March 27, 2020. There was one phone number for Ms. [REDACTED] in the database. When I called the number I got a recording "not in service."⁵¹⁶

Jacobs was not re-interviewed before being considered for geriatric conditional release by VPB again in 2020.⁵¹⁷ VPB did not wait for the results of Jacobs' sexually violent predator screening or for Jacobs' rape victim to provide input before it began voting on Jacobs' case on March 9, 2020; on that date, member Linda Bryant voted to grant Jacobs geriatric conditional release.⁵¹⁸ The same day, Bryant made a lengthy note noting her "concerns" about the case against Jacobs and noting an unsuccessful past investigation by the Innocence Project into the case.⁵¹⁹ In a separate note written on the same day, member Bryant wrote "Assuming Clinton did commit this offense, I believe Clinton's release is compatible with public safety and that he has served enough time."⁵²⁰ On March 24, 2020, Chair Adrienne Bennett voted to release Jacobs; member Kemba Pradia cast the final necessary vote in favor of Jacobs' release on March 25, 2020.⁵²¹ VPB records list the "Decision Date" in Jacobs' case as "03/25/2020."⁵²² After voting was complete, member Bryant made a note stating that "SVP screen came back. No further eval necessary."⁵²³

On March 27, 2020, after VPB had finished voting to grant Jacobs' release, Victim Input Coordinator Lisa Bowen input the following note in which she informed the victim that Jacobs' home plan called for his release to Portsmouth, VA, the same city in which she lived:

VICTIM INPUT - I just got off the phone with abduction/rape victim [REDACTED]. Ms. [REDACTED] was responding to my victim notification letter (response deadline was TODAY, March 27th). Ms. [REDACTED] wanted reassurance that the offender was no longer a threat to women and the community. I reassured her that the Board would not grant parole to an offender that they believed would be a danger to the community. Ms. [REDACTED] asked where the offender's home plan would be. I shared that his home plan is to his [REDACTED] in [REDACTED]. Ms. [REDACTED] shared that this is back to the community where she and her family lives. I asked if she would like a current picture of the offender and she said yes. Ms. [REDACTED] said it was difficult to share the news that the offender was being considered for parole with her husband and father. She has come to a place of forgiveness but worries that if he is not reformed she does not want this to happen to another woman. Ms. [REDACTED] asked to be registered in VINE for notifications and would like to be informed of the Board's decision. I assured her that I would take care of this for her.

This information was forwarded to Board members for consideration.

With the exception of a special condition of release requiring Jacobs to have no contact with the victim, there are no notes or other information indicating that the voting VPB members took any notice of Jacobs' rape victim's comments.⁵²⁴ VPB certified its decision to grant Jacobs geriatric conditional release on March 31, 2020.⁵²⁵ On April 1, 2020, Victim Input Coordinator Bowen made the following note: "VICTIM NOTIFICATION - Sent email to victim notifying of Board's decision to grant parole. Mailed current photograph of the offender to the victim."⁵²⁶ VPB staff mailed a notification of Jacobs' release to the Portsmouth Commonwealth's Attorney's Office on April 3, 2020; a return receipt showed that the notification was received on April 28, 2020.⁵²⁷ Jacobs was released from Deerfield Correctional Center on April 21, 2020.⁵²⁸

F. Violations of Law

No violations found.

G. Adjustment to Parole Supervision

Beginning in July 2020, Jacobs' parole officer received multiple reports that Jacobs was exhibiting concerning behavior involving heavy opiate and cocaine use and sale. Jacobs tested positive for opiates, fentanyl, and cocaine multiple times, and drug treatment was attempted. The parole office's multiple attempts to address Jacobs' drug use were unsuccessful, and Jacobs' parole was revoked in February 2021. He remains in custody at the time of this report.

Release of Colin Brown

A. Sentencing Information

Colin Brown was convicted of grand larceny from the person in Fairfax County Circuit Court in 2017 and sentenced to 5 years suspended, conditioned on completion of the youthful offender program and a maximum commitment of 4 years to the Department of Corrections.⁵²⁹ Brown was also convicted of unlawful wounding in 2017, receiving a suspended sentence.⁵³⁰

B. Facts of Parole-Eligible Offenses

Victim [REDACTED] exited his vehicle at a 7/11 in Vienna in May 2016, and he was approached by Colin Brown and a codefendant.⁵³¹ The men asked the victim for money for a hot dog, and the victim gave them \$5.⁵³² Brown and his codefendant followed the victim into the 7/11 to ask him for a ride.⁵³³ The victim agreed, and he drove Brown and the codefendant into Fairfax City.⁵³⁴ While driving, the victim heard the sound of a gun slide being racked, and Brown's codefendant placed a gun to his head.⁵³⁵ Brown then took the victim's wallet and iPhone from the center console.⁵³⁶ The victim later positively identified Brown and his codefendant.⁵³⁷

C. Prior Criminal History and Institutional Discipline

Brown has prior convictions for identity theft, underage possession of alcohol, and petit larceny.⁵³⁸ Brown committed three institutional infractions while incarcerated.⁵³⁹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Brown on July 16, 2019 at Indian Creek Correctional Center.⁵⁴⁰ The examiner noted that Brown's recent COMPAS risk assessment showed a high risk

for general recidivism and violent recidivism.⁵⁴¹ Brown stated that before his offense, he and his codefendant had taken some Xanax and started drinking.⁵⁴² Brown admitted that he had told his codefendant that they would rob the victim.⁵⁴³ Brown told the examiner that he felt bad for the victim, and that no one should be put in that situation.⁵⁴⁴ Brown stated that he felt that he had disrespected his family, because they had not raised him that way.⁵⁴⁵ The examiner recommended that Brown be released.⁵⁴⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

On July 22, 2019, VPB member Linda Bryant voted to grant Brown discretionary parole.⁵⁴⁷ On December 6, 2019, Chair Adrienne Bennett voted to grant Brown parole.⁵⁴⁸ On December 8, 2019, member Kemba Pradia cast the final necessary vote to grant Brown parole.⁵⁴⁹ VPB records list the “Decision Date” in Brown’s case as “12/08/2019.”⁵⁵⁰ No victim research or contact information appears in VPB records until January 2020.⁵⁵¹

On January 30, 2020, Victim Input Coordinator Lisa Bowen placed the following note in Brown’s file:

VICTIM RESEARCH - No victims in VINE. Co-defendant is no longer active because he has been released and is no longer on supervision. The PSI contains the name of the victim [REDACTED]. There is no address information and too many hits in the database to determine who the victim is. I have sent information to Fairfax V/W for help with contact information for the victim.⁵⁵²

On February 3, 2020, Bowen placed an additional note in Brown’s file stating “VICTIM RESEARCH - Fairfax V/W provided contact information for victim. Sent notification letter with response deadline of 02/24/2020.”⁵⁵³ On February 24, 2020, Bowen input another note stating that there had been no response from the victim notification letter, and that Brown’s case was ready to certify.⁵⁵⁴ On March 30, 2020, Chair Adrienne Bennett placed a note in Brown’s file stating “Ready to Certify,”⁵⁵⁵ and VPB certified its decision to grant Brown discretionary parole the same day.⁵⁵⁶ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Fairfax Commonwealth’s Attorney’s Office on April 1, 2020; the notification was received, but it was undated.⁵⁵⁷ Brown was released from Indian Creek Correctional Center on April 3, 2020.⁵⁵⁸

F. Violations of Law

VPB’s decision to grant Colin Brown discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact Brown’s victim before casting all the necessary votes to release him.

VPB’s decision to grant Colin Brown discretionary parole further violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Fairfax County Commonwealth’s Attorney’s Office at least 21 business days prior to Brown’s release.

Release of Cordell Reed

A. Sentencing Information

Cordell Reed was convicted of attempted rape, a felony crime against a person, 3 robberies, attempted robbery, 4 counts of use of a firearm in the commission of a felony, and assault in Newport News in 1980.⁵⁵⁹ Reed’s total active sentence was 24 years.⁵⁶⁰ Reed was released on

discretionary parole in March 1989, and his parole supervision was transferred to Arizona. Reed committed second-degree murder in Arizona in 1993 and was sentenced to 25 years.

Reed was extradited to Virginia in October 2018 after finishing his sentence.⁵⁶¹ Reed had never completed his parole on the 1981 Newport News convictions due to his Arizona murder conviction, and VPB revoked Reed's discretionary parole in February 2019.⁵⁶²

B. Prior Criminal History and Institutional Discipline

Reed's additional prior criminal history is unknown. Reed committed one institutional infraction while incarcerated in Virginia.⁵⁶³

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Reed on November 26, 2019 at Deerfield Correctional Center.⁵⁶⁴ Reed told the examiner that his support system was large, and Virginia prison officials described his institutional adjustment as satisfactory.⁵⁶⁵ Reed stated that he was a good candidate for release now because "I'm not a threat to anyone. I just want to live and be in peace. My crime here happened almost 39 years ago, and in Arizona 29 years ago. I've taken all the programs, college courses, pre-release classes while in custody. I've been punished well over. I'm not a threat on any level. If I had minded my own business, I wouldn't be here. I'm guilty of caring."⁵⁶⁶ The examiner recommended against releasing Reed.⁵⁶⁷

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted three telephone appointments with Reed's supporters in 2019.⁵⁶⁸

On January 20, 2020, Board member Linda Bryant voted to grant Reed discretionary parole.⁵⁶⁹ In a CORIS note the same day, Bryant wrote the following:

I am voting to grant to move this case along even though we are awaiting the results of the SVP screen and we have not yet sought victim input (no victims registered in VINE). If the results of the screen are that a further eval is required and/or that we obtain victim input, I would like to reconsider my vote.⁵⁷⁰

On January 23, 2020, member A. Lincoln James voted to grant Reed parole.⁵⁷¹ On February 19, 2020, member Sherman Lea cast the final necessary vote to grant Reed parole.⁵⁷² VPB records list the "Decision Date" in Reed's case as "02/19/2020."⁵⁷³ No information regarding victim research or input appears in Reed's file until March 2020.⁵⁷⁴ On March 19, 2020, Victim Input Coordinator Lisa Bowen placed a note in CORIS stating "VICTIM RESEARCH - No victims in VINE. There is no PSI in CORIS. I have reached out to Newport News V/W for help with identifying the November 22, 1981 attempted sexual assault."⁵⁷⁵ No other information regarding victim research or contact appears in VPB files following this note.⁵⁷⁶

On March 31, 2020, Chair Adrienne Bennett input a note stating "Ready to Certify,"⁵⁷⁷ and VPB certified its decision to grant Reed discretionary parole the same day.⁵⁷⁸ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Newport News Commonwealth's Attorney's Office on April 6, 2020; the notification was received, but the return receipt was undated.⁵⁷⁹ Reed was released from Deerfield Correctional Center on April 16, 2020.⁵⁸⁰

E. Adjustment to Supervision

Reed was arrested on May 30, 2020 for committing malicious wounding and abduction against a woman in Colonial Heights; Reed was also arrested for obstruction of justice.⁵⁸¹ Reed's parole officer noted the following in a report submitted to VPB:

OFFICER'S RECOMMENDATIONS: A BOARD WARRANT BE ISSUED BASED ON PUBLIC SAFETY. THIS IS A PAROLEE THAT IS HIGHLY DANGEROUS. HE WAS PAROLED DUE TO A PANDEMIC⁵⁸² AND COMMITTED A VIOLENT CRIME WITHIN 8 WEEKS.⁵⁸³

Reed was convicted of unlawful wounding in May 2021 and sentenced to 3 years in prison. His discretionary parole was revoked, and he remains in custody at the time of this report.

F. Violations of Law

VPB's decision to grant Cordell Reed discretionary parole violated Va. Code § 53.1-155(B), because the Board failed to "endeavor diligently" to contact Reed's victims before casting all the necessary votes to release him on discretionary parole.

VPB's decision to grant Cordell Reed discretionary parole further violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Newport News Commonwealth's Attorney's Office at least 21 business days prior to Reed's release.

Release of Daniel Adams

A. Sentencing Information

Daniel Adams was sentenced to life in prison on March 15, 1991 in Fairfax County Circuit Court for the first-degree murder of his estranged wife on September 19, 1990.⁵⁸⁴ Adams was 29 years old, pled not guilty, and demanded a jury trial.⁵⁸⁵

B. Facts of Parole-Eligible Offense

One month prior to murdering his estranged wife, Adams was arrested for committing domestic assault against her.⁵⁸⁶ His wife had taken out a protective order against him.⁵⁸⁷ Around 6:50 in the morning on September 19, 1990, Adams went to his wife's home, met her at the door, and stabbed her 14-15 times, killing her.⁵⁸⁸ A witness in an adjacent apartment saw Adams run away from the victim's apartment after the murder.⁵⁸⁹

C. Prior Criminal History and Institutional Discipline

Adams' criminal history began at age 13 and includes convictions for burglary, unauthorized use of an automobile, destruction of property, and assault.⁵⁹⁰ Adams committed 40 institutional infractions while incarcerated, including four counts of possession of contraband, four counts of possession of intoxicants, two counts of lewd or obscene acts, two counts of threatening bodily harm, two counts of assault, two counts of fighting, indecent exposure, and stealing.⁵⁹¹

D. Parole Examiner Interview and Recommendation

Adams was interviewed by a parole examiner on December 17, 2019 at Pocahontas State Correctional Center.⁵⁹² Adams stated that 29 years in prison have been for the better, and prior to his crimes he was a bad person, out of control, and did not like himself.⁵⁹³ Adams told the examiner

that he was proud of the support he had with a recent “board appointment,” and that two VPB members had already said they would vote for him.⁵⁹⁴

The parole examiner noted that Adams “had a significant substance abuse history, beginning at age 13, including alcohol, speed, LSD, PCP, marijuana, cocaine, crack and freebasing cocaine, etc...”⁵⁹⁵ Adams told the examiner that he hoped to become a domestic violence advocate upon release.⁵⁹⁶ Adams wrote an article on October 3, 2019 for the Marshall Project on his murder called “I Killed My Wife. Now I Want to Help Prevent Domestic Violence.”⁵⁹⁷ Adams stated that the article led to PBS contacting him to be interviewed for a documentary.⁵⁹⁸ He stated that “[w]hat I did to her, she did not deserve that, but I was screwed up at the time.”⁵⁹⁹

The parole examiner recommended that VPB not grant Adams parole; no examiner had ever recommended that Adams be released in nine past interviews.⁶⁰⁰ The examiner wrote:

The victim, Ms. [REDACTED] and the subject had begun marriage counseling through her church at her request. . . Subject admitted he immediately began cheating and lying, probably due to a fear of commitment, and their relationship deteriorated. The victim then sought the protection of the courts and legal system, however the piece of paper (protective order) did nothing to protect her. This was a brutal, premeditated, very personal crime, stabbing someone multiple times.

Yes, the[re] is community support for Adams. But there is also Victim Opposition. Somewhere, somehow, someone has to speak for the victim. Parole is not recommended based upon the seriousness of the offenses, history of violence, criminal record and history of substance abuse.⁶⁰¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB notes reflect vehement opposition to parole from the victim’s family dating back to 2003 from the victim’s five siblings, multiple nieces and nephews, and a family friend. We reviewed 11 detailed instances of such opposition.

Adams received significant input in support of his parole consideration since 2003; VPB noted 36 individual instances of support letters or Board meetings with Adams’ supporters.⁶⁰² A 2016 note from VPB investigator Trudy Harris related how Adams met then-VPB member Adrienne Bennett in 2016 at Buckingham Correctional Center.⁶⁰³

VPB began voting on Adams’ case on January 13, 2020, when member Linda Bryant voted to grant Adams discretionary parole.⁶⁰⁴ On January 16, 2020, members Kemba Pradia and A. Lincoln James voted to grant Adams parole.⁶⁰⁵ On January 28, 2020, Victim Input Coordinator Lisa Bowen entered the following note:

VICTIM INPUT - I received a phone call from [REDACTED], sister of the murder victim. Ms. [REDACTED] wants the Board to know the offender stabbed her sister 13 times. This was an up close personal vicious attack. The family is devastated and angry about the offender doing an article for the Marshall Project titled “I killed my wife. Now I want to prevent domestic violence.” The words mean nothing. It is an invasion of their privacy and an insult to her dead sister that this person wants to eat fresh food and walk in a cool stream. Her sister will never experience those

things again and hasn't for a long time. It is a "slap in their faces" and he is a "conniving snake" and manipulator. Please do not ever allow him to go free. He made his bed and now he needs to spend the rest of his life in it. Nothing will be able to bring back her sister and the pain the family has had to live with never goes away. Please deny parole.⁶⁰⁶

Chair Adrienne Bennett cast the final vote necessary to grant Adams parole on February 25, 2020.⁶⁰⁷ VPB records list the "Decision Date" in Adams' case as "02/25/2020."⁶⁰⁸ VPB certified its decision to grant Adams parole on March 30, 2020.⁶⁰⁹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Fairfax Commonwealth's Attorney's Office on March 31, 2020; a return receipt showed that the Fairfax Commonwealth's Attorney's Office received the notification on April 3, 2020.⁶¹⁰ Adams was released from State Farm Correctional Center on April 21, 2020 after serving 29 years of his life sentence.⁶¹¹

F. Violations of Law

VPB's decision to grant Daniel Adams discretionary parole violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Fairfax Commonwealth's Attorney's Office at least 21 business days prior to Adams' release.

Release of Darryl Webb

A. Sentencing Information

Darryl Webb was convicted of 8 robberies, 6 abductions, 8 companion counts of use of a firearm in the commission of a felony, grand larceny of an automobile, and grand larceny.⁶¹² The jurisdictions of Webb's convictions were Newport News, Prince William, Norfolk, Richmond City, Virginia Beach, Chesterfield, and Hampton.⁶¹³ Webb committed all of the robberies in 1989, and the convictions all occurred in 1990.⁶¹⁴ Webb was sentenced to 179 years in prison.⁶¹⁵

B. Facts of Parole-Eligible Offenses

Webb and a codefendant robbed a Chesterfield Super 8 Motel at gunpoint in August 1989.⁶¹⁶ The next month, he and the same codefendant forced multiple employees of a Red Roof Inn in Hampton to lie on the floor, stealing a female victim's jewelry and one of the other victims' vehicles.⁶¹⁷ Webb also robbed a furniture store in Prince William at gunpoint in August 1989.⁶¹⁸ Webb and a codefendant also robbed a jewelry store in Prince William at gunpoint in September 1989, stealing at least \$12,000 in jewelry.⁶¹⁹ During a final robbery in Richmond City, on the same day as the robbery of the Prince William jewelry store, Webb abducted a motel employee, forced her into a car at gunpoint, and fled from police with the victim in the car.⁶²⁰

C. Prior Criminal History and Institutional Discipline

Webb has prior convictions for shooting a firearm within city limits and failure to appear.⁶²¹ Webb committed 32 institutional infractions while incarcerated, including 2 instances of engaging in sexual acts, threatening bodily harm, possession of contraband, and possession of intoxicants.⁶²²

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Webb on December 28, 2018 at Buckingham Correctional Center.⁶²³ Webb claimed that he had been talked into committing robberies by a codefendant.⁶²⁴ Webb was noted as receiving excellent work evaluations from prison officials.⁶²⁵ Webb stated that

he was a good candidate for parole because he had matured, and that he was not supposed to be in prison.⁶²⁶ The examiner recommended that Webb be released.⁶²⁷

E. Parole Board Deliberations and Victim and Prosecutor Contact

Webb was correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. However, Chair Adrienne Bennett recommended that Webb’s discretionary parole eligibility be restored in a 2018 file note:

Adrienne Bennett	07/06/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Robbery spree with companion use of firearm convictions in a multitude of jurisdictions between 7/29/1990 and 9/10/1990. No prior or subsequent predicate offenses. Not at liberty between offenses. Co-defendant Freddie Ferrell #1061968 has had his eligibility restored and is under review. Recommendation: Restore parole eligibility.]
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Three Strikes/Parole Ineligibility Review: Robbery spree with companion use of firearm convictions in a multitude of jurisdictions between 7/29/1990 and 9/10/1990. No prior or subsequent predicate offenses. Not at liberty between offenses. Co-defendant Freddie Ferrell #1061968 has had his eligibility restored and is under review. Recommendation: Restore parole eligibility.⁶²⁸

Webb’s discretionary parole eligibility under § 53.1-151(B1) was restored later in 2018 in a letter signed by Chair Bennett. For the reasons more fully described in Section V of this report, the decision to restore Webb’s discretionary parole eligibility was unlawful.

On January 29, 2019, VPB member Sherman Lea voted to grant Webb discretionary parole.⁶²⁹ On January 30, 2019, member A. Lincoln James voted to grant Webb parole.⁶³⁰ On March 5, 2019, member Linda Bryant cast the final necessary vote to grant Webb parole.⁶³¹ VPB records list the “Decision Date” in Webb’s case as “03/05/2019.”⁶³² No information regarding victim input or contact appears in VPB files until June 2019.⁶³³

On June 10, 2019, Victim Input Coordinator Lisa Bowen input a note on Webb’s CORIS file stating “VICTIM RESEARCH - No registered victims in VINE/CORIS. Sent information from PSIs to Victim Witness offices. No PSI for Norfolk or Virginia Beach but sent the dates of the offenses to see if V/W had any information. No input in the summary report.”⁶³⁴ Eight days later, Bowen input another note stating “VICTIM RESEARCH COMPLETE - No response received from V/W offices in PWC and Chesterfield. No further research is necessary. Ready to certify.”⁶³⁵ However, in a follow-up note also dated June 18, 2019, Bowen noted that the Norfolk Victim/Witness program had provided names for the victims; despite this, Bowen could not locate the victims after searching an unnamed database.⁶³⁶ Bowen placed a third note dated June 18, 2019 in which she described how the Hampton Victim/Witness program had provided a Facebook page potentially related to one of Webb’s victims, but Bowen could not access the page due to computer restrictions.⁶³⁷

On June 29, 2019, Chair Adrienne Bennett posted a file note stating “This offender has no home plan and a fairly undeveloped CORIS parole file due to being parole ineligible until 2018. Requesting home plan and further investigation.”⁶³⁸ Chair Bennett noted on February 18, 2020 that Webb still did not have a home plan.⁶³⁹ No other information appeared in Webb’s file until Chair Bennett posted a March 29, 2020 note stating “Ready to Certify. This offender needs assistance with developing a release plan.”⁶⁴⁰

VPB certified its decision to grant Webb discretionary parole on March 30, 2020.⁶⁴¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Hampton, Prince

William, Norfolk, Richmond City, and Virginia Beach Commonwealth's Attorneys' Offices on March 31, 2020; the Norfolk, Richmond City, and Virginia Beach offices received the notifications on April 3, 2020, and the return receipts for the Hampton and Prince William notifications were undated.⁶⁴² Webb was released from Buckingham Correctional Center on June 10, 2020.⁶⁴³

F. Violations of Law

VPB's decision to grant Darryl Webb discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Webb's multiple robbery and abduction victims before casting all the necessary votes to release him.

VPB's decision to grant Darryl Webb discretionary parole further constituted two violations of Va. Code § 53.1-136(3)(c), because VPB failed to notify the Newport News or Chesterfield County Commonwealth's Attorneys' Offices of Webb's release.

Release of David Jackson

A. Sentencing Information

On February 27, 1994, David Jackson was sentenced in Richmond Circuit Court for armed burglary, first-degree murder, and use of a firearm in the commission of a felony he committed on December 27, 1993.⁶⁴⁴ Jackson was sentenced to 30 years for armed burglary, life in prison for first-degree murder, and three years for use of a firearm in the commission of a felony.⁶⁴⁵

B. Facts of Parole-Eligible Offenses

On December 27, 1993, the victim, [REDACTED], was at his apartment with his wife.⁶⁴⁶ Ms. [REDACTED] answered a knock at the front door of the apartment; at the front door was David Jackson's 15-year-old cousin, who asked Mr. [REDACTED] for a screwdriver.⁶⁴⁷ Mr. [REDACTED] told Jackson's cousin that he didn't have one, and the young man left.⁶⁴⁸ He returned several minutes later with Jackson, age 22.⁶⁴⁹ Jackson and his cousin entered the [REDACTED] apartment after Mrs. [REDACTED] opened the door for the second time.⁶⁵⁰ [REDACTED]' 15-year-old cousin then held Mrs. [REDACTED] at gunpoint and forced her to sit in a chair while Jackson pistol-whipped Mr. [REDACTED].⁶⁵¹ Jackson kept stating that he was pistol-whipping Mr. [REDACTED] because he was disrespectful to his cousin.⁶⁵² Before leaving, Jackson and his cousin told Mr. [REDACTED] and Mrs. [REDACTED] that they would kill them if they went to the police or for an ambulance.⁶⁵³

The [REDACTED] stayed in the apartment for approximately ten minutes following the assault, and Mr. [REDACTED] bled profusely from the injuries to his head.⁶⁵⁴ He told Mrs. [REDACTED] to go to the front of the building to see if Jackson and his cousin were still outside while he went out the back to get help.⁶⁵⁵ Mrs. [REDACTED] looked around the corner, and Jackson saw her and began running toward her.⁶⁵⁶ She ran back to the apartment, and Jackson passed her in the corridor with a gun in his hand, chasing after her husband.⁶⁵⁷

Mrs. [REDACTED] ran back into the apartment and turned off the lights.⁶⁵⁸ She heard Jackson's voice and her husband begging for his life, followed by four gunshots.⁶⁵⁹ Jackson shot Mr. [REDACTED] in the back several times, and he ran to the front of the apartment, where he collapsed.⁶⁶⁰ Mr. [REDACTED] was alive but incoherent when police arrived; he died at the hospital shortly after arriving.⁶⁶¹ Mrs. [REDACTED] knew her husband's killer as "David," that David had a girlfriend in the same apartment complex, and that David had recently shot someone in the same area.⁶⁶²

C. Prior Criminal History and Institutional Discipline

As a juvenile, Jackson was adjudicated delinquent of destruction of property and two counts of grand larceny of an automobile.⁶⁶³ As an adult, Jackson was convicted of trespass, receiving stolen property, unlawful discharge of a firearm, and possession of a concealed weapon.⁶⁶⁴ Jackson committed ten institutional infractions while incarcerated.⁶⁶⁵

D. Parole Examiner Interview and Recommendation

During a November 15, 2019 interview at State Farm Correctional Center, Jackson admitted he was guilty, but differed with the examiner about whether his crime was first-degree murder.⁶⁶⁶ Jackson claimed without evidence that “the dude (victim) came at him, I hit him a few times and that stopped his aggression and the man was high.”⁶⁶⁷ Jackson then claimed that (after pistol-whipping the victim) he was “scared,” but he still turned around to confront the victim.⁶⁶⁸ Jackson alleged that he was scared the victim would hurt his cousin, so he shot him.⁶⁶⁹ He admitted to firing the shots that killed the victim and stated “I was not even looking at that man.”⁶⁷⁰ As the parole examiner noted, “Instant offense appears particularly cruel and unprovoked.”⁶⁷¹ The examiner recommended that Jackson be denied parole.⁶⁷²

E. Parole Board Deliberations and Victim and Prosecutor Contact

Then-VPB member Adrienne Bennett decided several years before Jackson’s eventual release that she would vote to grant Jackson parole, advocating for Jackson’s release to other members in a November 23, 2016 note in Jackson’s file.⁶⁷³ VPB took at least sixteen meetings, phone calls, and/or letters from Jackson’s supporters between 2006 and 2019.⁶⁷⁴ VPB documented no attempts to research victim and family information or to contact the victim’s family.⁶⁷⁵

VPB voted on Jackson’s case between December 11, 2019 and March 23, 2020.⁶⁷⁶ Member A. Lincoln James voted against releasing Jackson on December 11, 2019.⁶⁷⁷ Chair Adrienne Bennett voted to grant Jackson discretionary parole on January 25, 2020.⁶⁷⁸ Member Linda Bryant voted to grant Jackson parole on March 2, 2020.⁶⁷⁹ Members Sherman Lea and Kemba Pradia cast the final necessary votes to grant Jackson parole on March 23, 2020.⁶⁸⁰ VPB records list the “Decision Date” in Jackson’s case as “03/23/2020.”⁶⁸¹ VPB records also show that this was the second round of voting on Jackson’s case, but the first round of votes is not recorded.⁶⁸²

In a March 31, 2020 note, Chair Adrienne Bennett input a note stating “Ready To Certify.”⁶⁸³ VPB certified its decision to grant Jackson parole the same day.⁶⁸⁴ Chair Bennett emailed a VADOC employee the next day to waive the requirement that Jackson complete a re-entry program.⁶⁸⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond Commonwealth’s Attorney’s Office on April 3, 2020; a return receipt showed that the notification was received on April 9, 2020.⁶⁸⁶ On April 6, 2020, Victim Input Coordinator Lisa Bowen entered a note stating “VICTIM NOTIFICATION - There is one anonymous phone number registered in VINE. It is ringing busy.”⁶⁸⁷ This note was the full extent of victim contact information documented by VPB.⁶⁸⁸ Jackson was released from State Farm Correctional Center on April 21, 2020.⁶⁸⁹

F. Violations of Law

VPB’s decision to grant David Jackson parole violated Va. Code § 53.1-155(B), because the Board failed to “endeavor diligently” to contact the family of Jackson’s murder victim before

casting all the necessary votes to release Jackson.

VPB additionally violated Va. Code § 53.1-136(3)(c) by failing to notify the Richmond Commonwealth's Attorney at least 21 business days prior to Jackson's release.

Release of David Verlander

A. Sentencing Information

On August 15, 1986, following pleas of not guilty and a jury trial in Richmond Circuit Court, 24-year-old David Verlander was sentenced to life in prison for first-degree murder and ten years for robbery; Verlander committed both crimes on May 16, 1986.⁶⁹⁰

B. Facts of Parole-Eligible Offenses

On May 19, 1986, [REDACTED] was discovered in his apartment deceased, having been stabbed multiple times in the chest and neck.⁶⁹¹ The medical examiner opined that the victim had died within 48 to 72 hours prior to the discovery of his body.⁶⁹² Inside the victim's apartment, police discovered a receipt for a .45 caliber pistol that had been purchased in Germany.⁶⁹³ A pistol matching the serial number on the victim's receipt was found in Verlander's possession shortly after the murder.⁶⁹⁴ A witness testified that around the time of the murder, Verlander had come to him asking for a pair of pants because his were covered in blood.⁶⁹⁵ Another witness testified that Verlander had stated that he killed a man.⁶⁹⁶

At the time of his arrest, Verlander maintained innocence. However, in a 1999 interview with a parole examiner, Verlander admitted to having gone to the victim's home with a man named Robert Harvey; in Verlander's own words, "there was some drinking and an argument ensued. The victim had a gun on him. All hell broke loose and there was an overreaction on my part and I stabbed him 4 times."⁶⁹⁷

C. Prior Criminal History and Institutional Discipline

Verlander was acquitted of arson and murder in 1985.⁶⁹⁸ Verlander's additional prior convictions include three petit larcenies, tampering with vehicles, receiving stolen credit cards, burglary, destruction of property, grand larceny, and drunk in public.⁶⁹⁹ Verlander committed 25 institutional infractions while incarcerated, including possession of a weapon, 8 instances of possession or use of intoxicants, 6 instances of possession of contraband, threatening bodily harm, and damaging property.⁷⁰⁰

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Verlander on April 8, 2019 at Augusta Correctional Center.⁷⁰¹ The examiner noted that a prison official had commended Verlander's work ethic.⁷⁰² Verlander told the examiner that he despised what he had done, and he understood how VPB must feel looking at his history.⁷⁰³ Verlander stated that he knew he had hurt many people but wanted the opportunity for a second chance and to show everyone he could be a good person.⁷⁰⁴ The examiner recommended against releasing Verlander, as had the previous 19 examiners.⁷⁰⁵

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted that it took two meetings with Verlander's supporters and received 16 letters and phone calls between 2003 and 2019.⁷⁰⁶ No victim research or contact information appears in

VPB files until December 2019.⁷⁰⁷

On May 30, 2019, VPB member A. Lincoln James voted against granting Verlander discretionary parole, citing the reasons “Release at this time would diminish seriousness of crime; Extensive criminal record.”⁷⁰⁸ On July 5, 2019, member Sherman Lea voted against granting Verlander parole, citing the reason “Crimes committed: Homicide-1st Degree, Robbery, Statutory Burglary.”⁷⁰⁹ On August 14, 2019, Chair Adrienne Bennett voted to grant Verlander parole.⁷¹⁰ On October 10, 2019, member Linda Bryant voted to grant Verlander parole.⁷¹¹ On October 23, 2019, member Kemba Pradia voted to grant Verlander parole.⁷¹² On November 5, 2019, member A. Lincoln James reversed his vote and cast the final necessary vote to grant Verlander parole.⁷¹³ VPB records list the “Decision Date” in Verlander’s case as “11/05/2019.”⁷¹⁴

On December 16, 2019, Victim Input Coordinator Lisa Bowen placed the following note in Verlander’s CORIS file:

VICTIM RESEARCH COMPLETE - There are no registered victims in VINE/CORIS. The murder victim [REDACTED] was not located in the database. The murder took place in May 1986. Richmond V/W does not have records dating back this far. No further victim research is necessary. Ready to certify.⁷¹⁵

On March 29, 2020, Chair Adrienne Bennett input a note stating “Ready to certify.”⁷¹⁶ VPB certified its decision to grant Verlander discretionary parole on March 30, 2020.⁷¹⁷ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to an unnamed Commonwealth’s Attorney’s Office on March 31, 2020; there is no evidence that the notification was received.⁷¹⁸ Verlander was released from Augusta Correctional Center on April 21, 2020.⁷¹⁹

F. Violations of Law

VPB’s decision to grant David Verlander parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the family of Verlander’s murder victim before casting all the necessary votes to release Verlander.

VPB’s decision to grant David Verlander discretionary parole further violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the appropriate Commonwealth’s Attorney’s office at least 21 business days prior to Verlander’s release.

Release of Davon Copeland

A. Sentencing Information

Then-22-year-old Davon Copeland was sentenced on March 14, 1995 in Hampton Circuit Court for first-degree murder, use of a firearm to commit murder, conspiracy, attempted robbery, and use of a firearm to commit robbery; Copeland committed these offenses on April 10, 1994.⁷²⁰ Copeland was additionally sentenced to 60 days in jail on January 4, 1995 for destruction of property in Virginia Beach General District Court.⁷²¹ Copeland was sentenced to life in prison for murder, 3 years for use of a firearm to commit murder, 8 years for attempted robbery, and five years each for conspiracy and use of a firearm to commit robbery, for a total sentence of life in prison plus 21 years.⁷²²

B. Facts of Parole-Eligible Offenses

Copeland and two codefendants were drug dealers in Hampton who robbed other drug dealers to establish their “turf.”⁷²³ On April 10, 1994, Copeland, whose street name was “Understanding” or “Un,” approached a corner man near Sweetbriar Apartments in Hampton. The corner man told Copeland and his associate (the third codefendant remained in the car) that he didn’t sell, but he walked around the corner to check.⁷²⁴ Copeland and his codefendant followed the man and met up with victim [REDACTED].⁷²⁵ [REDACTED] wanted to see the money first, but Copeland and his codefendant wanted to see the cocaine first.⁷²⁶ Copeland then said “fuck it,” pulled a gun, and shot [REDACTED] in the chest once, killing him.⁷²⁷ Copeland took cocaine from [REDACTED] and put it in his shoe.⁷²⁸ Copeland shot another man named [REDACTED] in the hip as he ran away.⁷²⁹

C. Prior Criminal History and Institutional Discipline

Copeland had no prior criminal convictions when he was convicted of murder and robbery in Hampton Circuit Court.⁷³⁰ Copeland had been acquitted of robbery and a firearm charge in Gloucester court in December 1993, and he was acquitted of attempted burglary in Gloucester court in April 1994.⁷³¹

Copeland committed 62 institutional infractions during his incarceration, including four assaults, three counts of possession of contraband, two counts of threatening bodily harm, two counts of indecent exposure, possession of a weapon, solicitation of staff misconduct, and property damage. A parole examiner noted the following in conjunction with Copeland’s September 2019 parole interview:

While Copeland has been infraction free for three years, a marked behavioral improvement after the prior 62 institutional infractions, which run the gamut from serious Category I offenses such as Possession of a Weapon and Assault upon Any Person to less serious Category II offenses. It remains to be seen if Copeland will continue his positive adjustment or revert to his prior pattern of being compliant and infraction free for a time and then incurring multiple infractions and losing all the ground he had worked for.⁷³²

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Copeland on September 25, 2019 at Buckingham Correctional Center.⁷³³ Copeland stated that his crimes were over a turf war in the drug business, and he admitted that his lifestyle led to violence and incarceration.⁷³⁴ Copeland also stated that prison had been good for his growth and maturity.⁷³⁵ The examiner recommended against releasing Copeland.⁷³⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted 19 letters and phone calls from Copeland’s supporters between 2017 and 2019; VPB took one meeting with Copeland’s supporters in 2019.⁷³⁷ No information regarding victim research or contact appears in VPB files until February 2020.⁷³⁸

On November 14, 2019, VPB member A. Lincoln James voted against granting Copeland discretionary parole, citing the reasons “Release at this time would diminish seriousness of crime; Crimes committed (Homicide-1st Degree; Robbery-Attempted; Damage Property).”⁷³⁹ On December 12, 2019, member Sherman Lea voted against releasing Copeland, citing the reason

“Crimes committed (Homicide-1st Degree; Robbery-Attempted; Damage Property).”⁷⁴⁰ On December 13, 2019, member Kemba Pradia voted to grant Copeland discretionary parole.⁷⁴¹ On January 14, 2020, Chair Adrienne Bennett voted to grant Copeland parole.⁷⁴² On January 22, 2020, member Linda Bryant voted to grant Copeland parole.⁷⁴³ On January 23, 2020, member A. Lincoln James reversed his vote and cast the final necessary vote to grant Copeland discretionary parole.⁷⁴⁴ VPB records list the “Decision Date” in Copeland’s case as “01/23/2020.”⁷⁴⁵

On February 13, 2020, Victim Input Coordinator Lisa Bowen input the following note into Copeland’s CORIS file:

VICTIM RESEARCH - There are no registered victims in VINE for this offender or his co-defendants. There is also no victim input in CORIS for any of them. The April 1994 murder victim was [REDACTED]. I was not able to locate him in the database. I have sent information to Hampton V/W for help with victim contact information.⁷⁴⁶

On February 18, 2020, Bowen input another note stating “VICTIM RESEARCH COMPLETE - Hampton V/W responded that due to the age of the case they have no information available related to the victim. No further research is necessary. Ready to certify.”⁷⁴⁷ Chair Adrienne Bennett placed a note stating “Ready to Certify” on March 30, 2020,⁷⁴⁸ and VPB certified its decision to grant Copeland discretionary parole the next day.⁷⁴⁹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Hampton Commonwealth’s Attorney’s Office on April 6, 2020; the notification was received, but the return receipt was undated.⁷⁵⁰ Copeland was released from Augusta Correctional Center on April 21, 2020.⁷⁵¹

F. Violations of Law

VPB’s decision to grant Davon Copeland discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the family of Copeland’s murder victim before casting all the necessary votes to release Copeland.

VPB further violated Va. Code § 53.1-136(3)(c) by failing to notify the Hampton Commonwealth’s Attorney of its decision to grant Copeland parole at least 21 business days prior to Copeland’s release.

Release of Debra Scribner

A. Sentencing Information

Debra Scribner was convicted of first-degree murder, conspiracy to commit murder, and use of a firearm in the commission of a felony in Halifax in 2012.⁷⁵² She was sentenced to 20 years for murder, 6 months for conspiracy, and 3 years for use of a firearm.⁷⁵³

B. Facts of Geriatric Conditional Release-Eligible⁷⁵⁴ Offenses

On April 11, 2011, Debra Scribner conspired with two of her family members to kill her son-in-law, [REDACTED].⁷⁵⁵ Scribner’s daughter and [REDACTED] had been arguing and fighting the previous night. Scribner and her daughter had discussed killing [REDACTED] in the past.⁷⁵⁶ After midnight on April 11, Scribner’s daughter woke her 15-year-old son up and told him his dad was asleep.⁷⁵⁷ Her son said “OK,” retrieved a handgun, and walked into his father’s room, and shot and killed him.⁷⁵⁸ The boy then said, “it’s over mama.”⁷⁵⁹ Debra Scribner subsequently gave a written

statement admitting to giving her daughter the firearm that was used to kill [REDACTED], also informing police that the firearm was located at Scribner's home in South Boston.⁷⁶⁰

Around 4:15 a.m. on the same morning, Debra Scribner arrived at the home, and she, her daughter, and the 15-year-old boy loaded [REDACTED]'s body into the back of their van. The three drove [REDACTED]'s body to a well beside the house and pushed the body in.⁷⁶¹ Scribner's daughter stated that the body did not go directly into the well hole, and her son had to get into the well house to push the body down the well.⁷⁶² Scribner's daughter also stated that they later burned a couch that had [REDACTED]'s blood on it.⁷⁶³

Scribner admitted to investigators that she helped dispose of the body, helped burn the couch, and gave her daughter the firearm that was used to kill [REDACTED].⁷⁶⁴ Investigators recovered the murder weapon from Scribner's home in accordance with her statement.⁷⁶⁵ Additionally, Scribner and her daughter had been planning to kill [REDACTED] for 14 months before the murder occurred.⁷⁶⁶ Scribner had also been searching for a contract killer to murder [REDACTED] through her connections to a criminal organization.⁷⁶⁷

C. Prior Criminal History and Institutional Discipline

Scribner had no other criminal history before these convictions, and there is no record of disciplinary offenses.⁷⁶⁸

D. Parole Examiner Interview and Recommendation

Scribner received her second interview for geriatric conditional release on March 3, 2020; she became eligible for geriatric release in 2019.⁷⁶⁹ The 2019 examiner recommended against granting Scribner's release, and additionally recommended deferring Scribner's case for three years before her next release consideration.⁷⁷⁰ The examiner noted that Scribner had family support and was well-regarded by prison staff.⁷⁷¹ Scribner told the examiner that she had learned that no matter what, you always call the police.⁷⁷² The examiner recommended against releasing Scribner and recommended again that Scribner's case be deferred without further votes for three years:

While on the surface, the subject looks like a good candidate for release, she help[ed] commit a heinous crime. She admitted hearing her underage grandson and daughter talk about killing his father, provided them with a gun and then helped dump his body. She never reported it to the police and hid the weapon at her house. The only reason it appears that her grandson was released was because he was sentenced under the Serious Offender Program as a juvenile and her Daughter will not be eligible for release. She is only eligible because of her age. She is in good health and this Examiner feels that due to the serious nature of the crime and her role in it, as well as not reporting it when it was being planned, should keep her incarcerated for some more time. She expressed no victim remorse and this interview was strictly about her.⁷⁷³

E. Parole Board Deliberations and Victim and Prosecutor Contact

Between November 2019 and February 2020, VPB noted that it received seven letters and phone calls in support of Scribner; VPB took one meeting with supporters in January 2020.⁷⁷⁴

On January 22, 2020, Victim Input Coordinator Lisa Bowen input the following note into Scribner's CORIS file:

VICTIM RESEARCH - There are no registered victims in VINE/CORIS. I was able to locate the murder victim [REDACTED] in the database. He does have family members listed on his relative report. No contact made to date.⁷⁷⁵

On January 23, 2020, after instructing Victim Input Coordinator Bowen to mail a victim input letter to the brother of Scribner's victim, Chair Bennett wrote that she "cannot figure out how grandmother [Scribner] even got convicted."

From:	Bennett, Adrienne (VPB VFE)
To:	Bowen, Lisa (VPB VFE)
Subject:	Re: Victim research regarding offender Debra Kaye Scribner DOC Inmate #1455314
Date:	Thursday, January 23, 2020 9:11:20 AM

It was the 15 year old grandson of the victim who shot his father. His mother was in the house and encouraged him to do it. Grandma was not present - grandson came to a board appointment and said grandmother had nothing to do with it and that he was seriously abused by his father. The Mother is serving a lengthy sentence. I read the PSI and cannot figure out how grandmother even got convicted.

Adrienne L. Bennett
Chair
Virginia Parole Board

On January 24, 2020, Bowen input another note into Scribner's file stating "VICTIM NOTIFICATION - Per Chair's request I have sent a victim notification letter to the murder victim's brother [REDACTED] with a response deadline of February 17, 2020."⁷⁷⁶ On February 18, 2020, Bowen input another note stating "VICTIM NOTIFICATION - NO RESPONSE received from the victim [REDACTED] who is the brother of the victim [REDACTED]."⁷⁷⁷ It is unknown what contact information VPB used to send a notification to the murder victim's brother.

On March 20, 2020, Chair Adrienne Bennett voted to grant Scribner geriatric conditional release.⁷⁷⁸ On March 25, 2020, member Kemba Pradia voted to release Scribner.⁷⁷⁹ On March 30, 2020, member Sherman Lea cast the final necessary vote to release Scribner.⁷⁸⁰ VPB records list the decision date in Scribner's case as "03/30/2020."⁷⁸¹ VPB certified its decision to grant Scribner geriatric conditional release on March 31, 2020.⁷⁸² We learned through witness interviews that around the same time, Chair Adrienne Bennett personally visited VADOC Community Release staff to instruct them to release Scribner.⁷⁸³ Scribner was released from the Central Virginia Correctional Unit on April 1, 2020.⁷⁸⁴

A VPB employee mailed a notification of Scribner's release to the Halifax County Commonwealth's Attorney's Office on April 6, 2020; VPB records show that the notification was received on April 16, 2020.⁷⁸⁵

On April 17, 2020, then Vice-Chair Linda Bryant wrote Chair Tonya Chapman and a VPB Administrator an urgent email addressing VPB's noncompliance with the Commonwealth's Attorney notification statute, Va. Code § 53.1-136(3)(c):

From: **Bryant, Linda** <linda.bryant@vpb.virginia.gov>
Date: Fri, Apr 17, 2020 at 11:25 AM
Subject: URGENT - Compliance with 53.1-136c
To: Tonya Chapman <Tonya.Chapman@vpb.virginia.gov>
Cc: Tracy Schlager <tracy.schlager@vpb.virginia.gov>

Tonya - there is big issue that I think you need to get involved in ASAP.

Bottom Line that IMHO needs your involvement immediately: I think you need to tell Jim Parks/Tim Logan or maybe even Dave Robinson to make sure the message is clear, that, for all those certified as a grant from March 30 to the present (127 people) and for whom ALB waived Re-Entry due to COVID, that they cannot be released until at least 30 days have passed from the grant certification date. (An added kink is that, of those 127, Vincent Martin is due to be released on April 20, though ALB just certified him on, I think, the 10th).

Vice-Chair Bryant continued with additional concerns about Scribner's case:

Because ALB waived the standard Re-Entry requirement, there is no longer any guarantee that individuals will remain in custody long enough to ensure we complied with our duty until 53.1-136(c).

In one problematic case brought to my attention this morning, Debra Scribner, 1455314, ALB certified the grant on March 30. ALB then had Tracy send DoC a letter waiving ReEntry for

all those previously required to complete Re-Entry. So DoC released Scribner, a woman convicted of First Degree Murder in Halifax, the very next day, Marcy 31. The CWA just received the notification letter on April 15 (so 5 days short of the 21 days to which they are entitled). Both the Judge and the CWA are inquiring about the situation and why the CWA did not receive notification of her pending release before she actually landed back in the community. For now, Trudy has not replied to the CWA and Trudy has not replied to the judge **because we want to bring you up to speed on it all first to see how you want to handle.**

In an email chain on April 20, 2020, former Secretary of Public Safety and Homeland Security Brian Moran noted a press release from the Virginia Sheriff's Association about Scribner's release. Secretary Moran wrote "Hoping the Sheriffs (sic) letter is incorrect. 2012 murderer released? let's slow down if the process is getting sloppy." During an interview, Secretary Moran reiterated his concern about the speed at which the VPB was moving.

In a follow-up email on April 21, 2020, which was also addressed to Parole Board Chair Tonya Chapman, Deputy Secretary Nicky Zamostny provided several talking points regarding Scribner's release, including that "The decision to grant Ms. Scribner geriatric parole was not related to COVID-19. However, her quick release thereafter is inextricably tied to COVID-19."

Also on April 21, 2020, then-Judge Bennett, still utilizing her VPB email and referring to the Virginia Parole Board as “we,” responded to Chair Tonya Chapman’s request for assistance with a media inquiry regarding Scribner’s release, advising Chapman to get “vaguer and vaguer (sic) and snarky.”

From:	Bennett, Adrienne (VPB VFE)
To:	Chapman, Tonya (VPB VFE)
Subject:	Re: Reducing jail population
Date:	Tuesday, April 21, 2020 3:37:15 PM

We don't answer these questions about individual cases. The next cases that comes up before Vincent is released - I think it would be good to get vaguer and vaguer and snarky. I had some snark for the the Halifax CWA - I held back. (I like her - I think she is just under pressure from the pressurers).

On April 27, 2020, amid questions about whether VPB’s decision to release Scribner could be reconsidered or rescinded due to Chair Bennett no longer being present to revisit her vote, an OAG attorney emailed VPB Chair Tonya Chapman with the legal opinion that “In sum, I do not read anything in the Administrative Procedures Manual that *prohibits* the VPB from exercising its discretion to initiate a reconsideration of suitability review because one of the three concurring members who voted to grant is no longer on the Board.”

F. Violations of Law

No violations found. Applicable law at the time of Scribner’s release did not specifically require VPB to contact victims of geriatric offenders or to notify the Commonwealth’s Attorney’s Office in the jurisdiction of conviction. Current law or procedure require VPB to take such action.

Release of Demetrius Donigan

A. Sentencing Information

Demetrius Donigan was convicted of robbery in Prince William Circuit Court in 2018 and sentenced to 10 years suspended, conditioned on completion of the youthful offender program and a maximum commitment of 4 years to the Department of Corrections.⁷⁸⁶

B. Facts of Parole-Eligible Offenses

On April 25, 2017, Donigan met a woman through the property exchange app “Letgo” to purchase an iPhone 7+.⁷⁸⁷ When he met the woman, Donigan produced a black handgun and demanded the phone.⁷⁸⁸ The victim complied, and Donigan grabbed the phone and fled behind a row of townhouses.⁷⁸⁹ The victim later positively identified Donigan.⁷⁹⁰

C. Prior Criminal History and Institutional Discipline

Donigan had no prior criminal history.⁷⁹¹ He committed one institutional infraction while incarcerated.⁷⁹²

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Donigan on August 20, 2019 at Indian Creek Correctional Center.⁷⁹³ The examiner noted that Donigan’s recent COMPAS risk assessment showed a medium

risk of general recidivism and a medium risk of violent recidivism.⁷⁹⁴ Donigan stated that he owed his family, his victim, and himself an apology.⁷⁹⁵ Donigan also told the examiner that he was thankful to be at Indian Creek Correctional Center, because every day was full of something new to learn.⁷⁹⁶ Prison officials noted that Donigan appeared to have adjusted well to institutional programs.⁷⁹⁷ The examiner recommended that Donigan be released: “Donigan is currently in the Re-Entry phase of the Therapeutic Community program. His overall adjustment has been positive, and he appears to have a solid release plan. Discretionary release is recommended.”⁷⁹⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

On September 30, 2019, Vice-Chair Jean Cunningham voted to grant Donigan discretionary parole.⁷⁹⁹ On November 22, 2019, member A. Lincoln James voted against releasing Donigan.⁸⁰⁰ On November 26, 2019, member Kemba Pradia voted to grant Donigan parole.⁸⁰¹ On December 6, 2019, Chair Adrienne Bennett cast the final necessary vote to grant Donigan parole.⁸⁰² VPB records list the “Decision Date” in Donigan’s case as “12/06/2019.”⁸⁰³

On December 6, 2019, after voting to release Donigan, Chair Bennett input two notes into Donigan’s file as reflected below:

Needs victim research/input. After further review will vote to grant pending out come (sic) of victim input and on condition that his behavior remains stable.⁸⁰⁴

Offender has begun having adjustment issues. See recent notes in CORIS. Need to see a longer period of stable adjustment. He inquired on 12/5/2019 about the status of his parole decision.⁸⁰⁵

On January 10, 2020, Victim Input Coordinator Lisa Bowen input a note in Donigan’s file stating the following:

VICTIM RESEARCH- There are no registered victims in VINE. The PSI contains the name of the victim as [REDACTED]. I believe I located the victim in the database. Her name is [REDACTED] and she currently resides in [REDACTED]. I called the phone number listed in the database but did not get an answer and there was no recording to leave a voice mail. I am mailing a notification letter with a deadline to respond by Monday, February 3, 2020. This allows approximately three weeks to respond.⁸⁰⁶

On February 4, 2020, Bowen noted that the letter to the victim returned as “undeliverable,” and as a result, “No further research is required” and Donigan’s case was “Ready to certify.”⁸⁰⁷ VPB employee Crystal Noakes later placed a note in Donigan’s file in April 2020 noting that “Victim not notified of pending discretionary parole release on 4.20.20.”⁸⁰⁸ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Prince William Commonwealth’s Attorney’s Office on March 31, 2020; the notification was received, but the return receipt was undated.⁸⁰⁹ Donigan was released from Indian Creek Correctional Center on April 20, 2020.⁸¹⁰

F. Violations of Law

VPB’s decision to grant Demetrius Donigan discretionary parole violated Va. Code § 53.1-155(B), because the Board failed to “endeavor diligently” to contact Donigan’s robbery victim before casting all the necessary votes to release him.

VPB's decision to grant Demetrius Donigan discretionary parole further violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Prince William Commonwealth's Attorney's Office at least 21 business days prior to Donigan's release.

Release of Dennis Liming

A. Sentencing Information

Dennis Liming was convicted of 3 burglaries and 3 counts of grand larceny in Brunswick Circuit Court in 1992.⁸¹¹ He was sentenced to 10 years.⁸¹² Following his release, between 2003 and 2004, Liming was convicted of 2 burglaries, 4 grand larcenies, possession of a firearm by a convicted felon, 2 counts of forgery, and petit larceny in Brunswick and Chesterfield.⁸¹³ Liming was sentenced to an additional 13 years.⁸¹⁴

B. Prior Criminal History and Institutional Discipline

Liming has multiple additional criminal convictions dating back to 1975, including 2 burglaries, trespassing, grand larceny, and three counts of contributing to the delinquency of a minor.⁸¹⁵ Liming's parole was previously revoked in 1999 when he absconded from supervision and incurred multiple new DUI charges.⁸¹⁶ Liming committed six institutional infractions while incarcerated.⁸¹⁷

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Liming on November 6, 2019 at Deerfield Correctional Center.⁸¹⁸ Liming told the examiner that he was sorry for his crimes and victims, and that the crimes were due to drinking and being stupid.⁸¹⁹ According to Liming, 16 years in prison had taught him to respect others' property and belongings.⁸²⁰ Liming stated that he did not want alcohol or crime as part of his life anymore.⁸²¹ The examiner recommended that Liming be released.⁸²²

D. Parole Board Deliberations and Victim and Prosecutor Contact

Despite the parole examiner's recommendation that Liming be granted geriatric conditional release, VPB records show that Liming was instead considered for "Regular Parole," or discretionary parole.⁸²³ On December 9, 2019, Chair Adrienne Bennett voted to grant Liming discretionary parole.⁸²⁴ On January 2, 2020, member Kemba Pradia voted to grant Liming parole.⁸²⁵ On January 3, 2020, member Linda Bryant cast the final necessary vote to grant Liming parole.⁸²⁶ VPB records list the "Decision Date" in Liming's case as "01/03/2020."⁸²⁷

No information regarding victim research or contact appears in VPB files on Liming.⁸²⁸ On March 30, 2020, Chair Adrienne Bennett input a note stating "Ready to certify."⁸²⁹ VPB certified its decision to grant Liming discretionary parole the next day.⁸³⁰ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Chesterfield and Brunswick Commonwealth's Attorneys' Offices on April 6, 2020; the notifications were received, but the return receipts were undated.⁸³¹ Liming was released from Deerfield Correctional Center on August 14, 2020.⁸³²

E. Violations of Law

VPB's decision to grant Dennis Liming discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Liming's multiple burglary, grand larceny, and fraud victims during Liming's 2020 parole consideration.

Release of Donald Johnson

A. Sentencing Information

Donald Johnson was convicted of five burglaries in Norfolk in 1989 and sentenced to 10 years.⁸³³ He was released on discretionary parole in 1993.⁸³⁴ Johnson was arrested in 1994 and later convicted of receiving stolen property and trespassing in Virginia Beach, leading to the revocation of his discretionary parole.⁸³⁵ Johnson was again released on discretionary parole in 2007.⁸³⁶ Parole was again revoked following Johnson's 2008 convictions for felony petit larceny and multiple criminal traffic offenses; Johnson also absconded from parole supervision.⁸³⁷ Johnson was again released on discretionary parole in 2011. He was arrested in 2013 for embezzlement in Chesapeake and later convicted.⁸³⁸ Johnson's discretionary parole was again revoked.⁸³⁹ Johnson's total remaining parole-eligible sentence was 37 years and 22 months.⁸⁴⁰

B. Prior Criminal History and Institutional Discipline

In addition to the convictions described above, Johnson has prior convictions for robbery, felonious assault, credit card fraud, receiving stolen property, concealment of merchandise, and failure to appear in court.⁸⁴¹ Johnson committed 19 institutional infractions while incarcerated, including stealing in 2019, lying or giving false information in 2018, possession of a weapon, possession of contraband, and gathering in a threatening manner.⁸⁴²

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Johnson on October 23, 2019 at State Farm Correctional Center.⁸⁴³ The examiner noted that Johnson's recent COMPAS risk assessment showed a medium risk of violent recidivism.⁸⁴⁴ Johnson stated that he had a plan for parole this time, and would stay focused and avoid temptation and negativity.⁸⁴⁵ Johnson stated that if VPB gave him a "second chance," he would be able to help others.⁸⁴⁶ Despite noting that Johnson had a "serious disregard for property rights of others," the examiner recommended that Johnson be released.⁸⁴⁷

D. Parole Board Deliberations and Victim and Prosecutor Contact

On November 17, 2019, VPB member Sherman Lea voted to grant Johnson discretionary parole.⁸⁴⁸ On December 9, 2019, member A. Lincoln James voted to grant Johnson parole.⁸⁴⁹ On January 3, 2020, member Linda Bryant cast the final necessary vote to release Johnson.⁸⁵⁰ VPB records list the "Decision Date" in Johnson's case as "01/03/2020."⁸⁵¹ No victim research or contact information appears in VPB records until January 30, 2020, when Victim Input Coordinator Lisa Bowen input a note stating she had reached out to Johnson's 2013 embezzlement victim, a company in [REDACTED].⁸⁵² Six days later, Bowen entered another note stating that the company never reached back out to her to express an opinion about Johnson's case.⁸⁵³

On March 31, 2020, Chair Adrienne Bennett placed two notes in Johnson's CORIS file stating "Ready to Certify,"⁸⁵⁴ and VPB certified its decision to grant Johnson discretionary parole the same day.⁸⁵⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk and Virginia Beach Commonwealth's Attorneys' Offices on April 6, 2020; both offices received the notification on April 10, 2020.⁸⁵⁶ Johnson was released from State Farm Correctional Center on June 15, 2020.⁸⁵⁷

E. Violations of Law

VPB's decision to grant Donald Johnson discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Johnson's multiple burglary and theft victims. VPB tried to locate the victim of Johnson's 2013 embezzlement, but VPB records contain no evidence of victim contact for Johnson's multiple other offenses.

Release of Donyae Calloway

A. Sentencing Information

On 11/10/1994, then-16-year-old Donyae Calloway was sentenced in Norfolk Circuit Court to 18 years for malicious wounding and three years for use of a firearm in the commission of a felony.⁸⁵⁸ Calloway committed this shooting offense on September 24, 1993.⁸⁵⁹ Calloway was released on discretionary parole supervision in 2001, and on April 9, 2002, he was arrested in Norfolk for possession of cocaine with intent to distribute (2nd offense) and possession of a firearm while possessing cocaine with intent to distribute.⁸⁶⁰ Calloway was sentenced in Norfolk Circuit Court on October 17, 2002 to seven years with five suspended for distributing cocaine, and 5 years for possessing a firearm while possessing cocaine with intent to distribute.⁸⁶¹ Calloway's parole on the underlying malicious wounding conviction was revoked on February 21, 2003.⁸⁶² Calloway was subsequently released on mandatory parole on August 29, 2011.⁸⁶³ Calloway was rearrested for the federal crimes of possession of heroin with intent to distribute and possession of a firearm and ammunition by a convicted felon in 2016, and he was sentenced to concurrent 96-month terms of incarceration in United States District Court on October 28, 2016.⁸⁶⁴ Calloway's discretionary parole on the original malicious wounding conviction was again revoked on February 18, 2017.⁸⁶⁵

B. Facts of Parole-Eligible Offenses

On September 24, 1993 at approximately 1:52 a.m., in the 1000 block of Mariner Street in Norfolk, Donyae Calloway shot the victim, 24-year-old [REDACTED], seven times during a drive-by shooting.⁸⁶⁶ The victim's friends identified Calloway as the shooter.⁸⁶⁷

C. Prior Criminal History and Institutional Discipline

Calloway has prior juvenile adjudications dating to age 15 for assault on a law-enforcement officer, possession of cocaine with intent to distribute, and possession of cocaine.⁸⁶⁸ Calloway committed six institutional infractions while incarcerated, including possession of drugs, lewd/obscene acts, and two counts of fighting.⁸⁶⁹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed then-42-year-old Calloway on March 18, 2020.⁸⁷⁰ The examiner noted that Calloway's most recent COMPAS recidivism assessment resulted in an overall risk of "medium," including a medium risk for violent recidivism.⁸⁷¹ Referencing his new federal drug distribution conviction, Calloway told the examiner that he started selling drugs again and sold to an informant.⁸⁷² Calloway told the examiner that he went back to selling drugs to provide for a young woman with two children; Calloway believed that he "had to do more for her children than [his] father had done for [him]."⁸⁷³ Calloway confirmed that he had begun using cocaine again in 2012.⁸⁷⁴ Calloway pleaded with VPB to release him to his federal detainer for the new heroin distribution conviction.⁸⁷⁵ The examiner recommended against releasing Calloway.⁸⁷⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB documented no attempts to contact or solicit input from the victim of Calloway's drive-by shooting.⁸⁷⁷ VPB began voting on Calloway's case on March 22, 2020, when Chair Adrienne Bennett voted to grant Calloway discretionary parole. The same day, Chair Bennett entered the following note: "I completely agree with offender that his time is better served in the BOP from a programming and a release plan perspective. Special Condition: Release is authorized only (sic) your Federal Detainer."⁸⁷⁸ VPB Member Kemba Pradia voted to grant Calloway parole on March 27, 2020, and member Linda Bryant cast the final vote necessary to grant Calloway parole on the same day.⁸⁷⁹ VPB records list the "Decision Date" in Calloway's case as "03/27/2020."⁸⁸⁰ Chair Adrienne Bennett input a note stating "ready to certify" on March 31, 2020.⁸⁸¹ VPB certified its decision to grant Calloway parole on March 31, 2020.⁸⁸² VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk Commonwealth's Attorney's Office on April 3, 2020; the notification was received on April 10, 2020.⁸⁸³ Calloway was released from Baskerville Correctional Center on April 22, 2020.⁸⁸⁴

F. Violations of Law

VPB's decision to grant Donyae Calloway parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victim of Calloway's original malicious wounding offense.⁸⁸⁵

VPB additionally violated Va. Code § 53.1-136(3)(c) by failing to notify the Norfolk Commonwealth's Attorney of its decision to grant Calloway parole at least 21 business days prior to Calloway's release.

Release of Dwayne Reid

A. Sentencing Information

16-year-old Dwayne Reid was convicted of capital murder, robbery, and two counts of use of a firearm in the commission of a felony in Suffolk Circuit Court in 1995.⁸⁸⁶ Reid was sentenced to life in prison plus 10 years.⁸⁸⁷

B. Facts of Parole-Eligible Offenses

On August 19, 1993, victim [REDACTED] and a friend left a bar in Portsmouth and were returning to Suffolk.⁸⁸⁸ They drove down Van Buren Avenue in Suffolk and asked a group of men for a "twenty rock" of crack cocaine.⁸⁸⁹ Several men came up to the car, and a pebble-sized item was thrown inside the car.⁸⁹⁰ The victim began looking for the item, and his friend noticed a gun come through the passenger side window, held by Dwayne Reid.⁸⁹¹ A struggle ensued, and the men stole \$60 from the victim.⁸⁹² Reid then fired his gun, striking the victim in the head and killing him.⁸⁹³ Multiple witnesses later identified Reid as the shooter.⁸⁹⁴

C. Prior Criminal History and Institutional Discipline

Reid has prior convictions for a 1991 murder in Suffolk, use of a firearm in the commission of a felony, 3 robberies, and 2 counts of use of a firearm in the commission of robbery.⁸⁹⁵ Reid was discharged from youth detention to aftercare in January 1993 following the murder conviction.⁸⁹⁶ Reid committed 17 institutional infractions while incarcerated, including 4 instances of indecent exposure, 2 instances of possession of contraband, committing a lewd or obscene act,

and creating or possessing forged documents.⁸⁹⁷

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Reid on January 27, 2020 at the State Farm Enterprise Unit.⁸⁹⁸ Reid reported that he was very remorseful for the things he had done, and said he was ashamed of himself.⁸⁹⁹ Reid stated that “I did pull the trigger, I am guilty . . . I saw his money and my mind went blank, I was not thinking. I was smoking weed and high.”⁹⁰⁰ Reid stated that at the time of his second murder, he had just gotten started into the drug life and was a youngster who did not listen.⁹⁰¹

The examiner noted that Reid had been infraction-free since 2010 and did not pose any security issues.⁹⁰² Reid told the examiner that he was a good candidate for parole because he had been incarcerated a long time and had learned to respect authority and the law, as well as to rely on good people and listen to counsel.⁹⁰³ Reid stated that he was now a patriot, and he stated that he thanked God for the armed forces and all those who protect us.⁹⁰⁴

No parole examiner had ever recommended that Reid be released, and the 2020 examiner also recommended against releasing Reid:

The subject was adjudicated as a sixteen (16) year old for multiple serious crimes, including Murder, and was, in fact, on juvenile supervision when the instant offenses occurred. While he does have [REDACTED], his criminal history does not warrant release at this time. This is only his 5th interview on a Life plus 10 years sentence. Parole is not recommended due to serious nature of his crime, release would diminish the seriousness of his crime, prior failure on community supervision, and the subject would benefit from further institutional programming to include continued participation in the [REDACTED].⁹⁰⁵

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted 5 instances of support for Reid between 2012 and 2019.⁹⁰⁶ No information regarding victim research or contact appears in VPB files until April 3, 2020.⁹⁰⁷ Reproduced below is the full extent of all VPB notes available in Dwayne Reid’s case, with redactions of protected health information, names, addresses, and phone numbers.

All Parole Board Notes			
Staff	Note Date	Note Type	Details
Lisa Bowen	04/03/2020	Parole Board Note	VICTIM NOTIFICATION - There is one anonymous phone number registered in VINE. It is no longer in service. Offender is being released on 04/17/2020.
Adrianne Bennett	03/31/2020	Parole Board Note	Ready to certify.
Laura H. Hall	04/16/2019	Parole Board Note	called today concerning her son. He has son at home. He will parole to her at She wants to take care of her
Laura H. Hall	03/20/2019	Parole Board Note	A family member called today to check status of case. The offender is
Tracy Schlager	02/28/2019	Parole Board Note	(mother), called today and indicated that this offender can live with her upon release. Her address is Telephone - home, Cell,
Laura H. Hall	01/09/2019	Parole Board Note	called to offer support for her son, Dwayne. He will live with in This home plan will offer a stable environment for him to reside. She is asking the Board for a second chance.
Sherrie P Floyd	08/02/2012	Parole Board Note	, mother sends a note to the Board requesting information regarding subject's parole year.

On February 14, 2020, VPB member A. Lincoln James voted against granting Reid

discretionary parole, citing the reasons “Extensive criminal record; Your prior failure(s) and/or convictions while under community supervision indicate that you are unlikely to comply with conditions of release.”⁹⁰⁸ On March 7, 2020, member Kemba Pradia voted to grant Reid discretionary parole. On March 25, 2020, member Sherman Lea voted to grant Reid parole. On March 27, 2020, member Linda Bryant voted to grant Reid parole. On March 28, 2020, Chair Adrienne Bennett cast the final necessary vote to grant Reid parole.⁹⁰⁹ VPB records list the “Decision Date” in Reid’s case as “03/28/2020.”⁹¹⁰ VPB certified its decision to grant Reid discretionary parole, or “Regular Parole,” on March 31, 2020.⁹¹¹

Review of VPB records and contemporaneous emails sent and received by the Victim Input Coordinator shows that VPB noted no victim research or contact attempts before the “Decision Date,” or the date on which Reid received all necessary VPB members’ votes to be released.⁹¹² The only note in Reid’s file regarding victim contact was placed by Victim Input Coordinator Lisa Bowen on April 3, 2020: “VICTIM NOTIFICATION - There is one anonymous phone number registered in VINE. It is no longer in service. Offender is being released on 04/17/2020.”⁹¹³

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Suffolk Commonwealth’s Attorney’s Office on April 3, 2020; the notification was received on April 10, 2020.⁹¹⁴ Reid was released from the State Farm Enterprise Unit on April 17, 2020.⁹¹⁵

F. Violations of Law

VPB’s decision to grant Dwayne Reid discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the family of Reid’s murder victim before casting all the necessary votes to release Reid.

VPB’s decision to grant Dwayne Reid parole further violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Suffolk Commonwealth’s Attorney’s Office at least 21 business days prior to Reid’s release.

Release of Edwin Gooch

A. Sentencing Information

Edwin Gooch was sentenced to death for capital murder in Chesapeake in June 1976.⁹¹⁶ In October 1976, Governor Mills Godwin commuted Gooch’s death sentence to life in prison without the possibility of parole.⁹¹⁷ Gooch was formally resentenced to life in prison in Chesapeake Circuit Court in November 1976.⁹¹⁸

B. Facts of Parole-Eligible Offense

In 1975, 22-year-old Gooch made standing offers of \$5,000 to \$10,000 to anyone who would murder his wife and make it appear that she had been killed during a robbery attempt.⁹¹⁹ Gooch had been planning to kill his wife for over a year.⁹²⁰ Gooch’s codefendant Luther Beasley accepted the contract to kill Gooch’s wife for \$5,000, \$2,000 of which was to have been paid the day of the murder and the remainder after an appropriate mourning period.⁹²¹ Beasley stabbed Gooch’s wife 14 times and slit her throat with a carpenter’s scratch awl.⁹²² Beasley then collected \$810 in cash from a prearranged drop point inside the house.⁹²³

C. Prior Criminal History and Institutional Discipline

Gooch had no prior criminal convictions before his murder conviction.⁹²⁴ He committed

six institutional infractions during his incarceration.⁹²⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Gooch on January 21, 2020 at Lunenburg Correctional Center.⁹²⁶ Gooch alleged that he had caught his wife “running around” several times, claiming that her behavior got the best of him, and expressing remorse for the killing.⁹²⁷ Gooch told the examiner that he would make a good candidate for parole as he never had a prior record and his institutional adjustment reflected his positive behavior.⁹²⁸ The examiner recommended releasing Gooch.⁹²⁹

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted extensive support for Gooch, including eight in-person meetings and 23 letters or phone calls.⁹³⁰

On February 14, 2020, VPB member A. Lincoln James voted against granting Gooch discretionary parole.⁹³¹ VPB then began a second round of voting, and member Sherman Lea voted against releasing Gooch on March 20, 2020.⁹³² Chair Adrienne Bennett voted to release Gooch on March 21, 2020.⁹³³ The next day, member Kemba Pradia voted to release Gooch.⁹³⁴ On March 27, 2020, member Linda Bryant voted to release Gooch.⁹³⁵

In a March 27, 2020 email to Chair Adrienne Bennett and Victim Input Coordinator Lisa Bowen, member Linda Bryant wrote the following:

From:	Bryant, Linda (VPB VFE)
To:	Bennett, Adrienne (VPB VFE)
Cc:	Bowen, Lisa (VPB VFE)
Subject:	Edwin Gooch, 1092187
Date:	Friday, March 27, 2020 9:58:17 PM

Hi ALB,
I just voted to grant Edwin Gooch. You and Kemba also voted to grant. A Lincoln and S Lea voted not grant. He has been in 44 years. Contract murder of wife case. Looping in Lisa - I think victim research still needs to be done.

No VPB employee noted any efforts to research or contact family members of Gooch’s victim following this email.⁹³⁶ On March 31, 2020, member A. Lincoln James reversed his initial vote and cast the final necessary vote to grant Gooch parole.⁹³⁷ VPB records list the “Decision Date” in Gooch’s case as “03/31/2020.”⁹³⁸ Chair Adrienne Bennett placed a note in CORIS stating “Ready to certify” on the same day, and VPB certified its decision to grant Gooch parole the same day.⁹³⁹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Chesapeake Commonwealth’s Attorney’s Office on April 3, 2020; there is no evidence that the notification was received.⁹⁴⁰ Gooch was released from Lunenburg Correctional Center on April 27, 2020.⁹⁴¹

F. Violations of Law

VPB’s decision to grant Edwin Gooch discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the family of Gooch’s murder victim before voting to release Gooch.

VPB’s decision to grant Edwin Gooch discretionary parole further violated Va. Code

§ 53.1-136(3)(c), because VPB failed to notify the Chesapeake Commonwealth's Attorney's Office at least 21 business days prior to Gooch's release.

Release of Ervin Maddrey

A. Sentencing Information

Ervin Maddrey, a/k/a "Popeye," committed the offenses of robbery, possession of a weapon, felony crimes against a person, and attempted murder in Portsmouth on November 21, 1975.⁹⁴² In Portsmouth Circuit Court on May 27, 1976, Maddrey was sentenced to consecutive life terms for robbery and possession of a weapon, as well as 60 years for crimes against a person and 10 years for attempted murder.⁹⁴³

Maddrey was granted discretionary parole on September 6, 1995.⁹⁴⁴ He was convicted of obstruction of justice and eluding police in 1998, another count of obstruction of justice in 1999, and driving under the influence in 2003.⁹⁴⁵ In 2004, Maddrey was arrested for multiple counts of heroin distribution.⁹⁴⁶ Maddrey was convicted of four counts of heroin distribution in Portsmouth Circuit Court on May 9, 2005, receiving a total sentence of 20 years with 15 suspended.⁹⁴⁷ Maddrey's discretionary parole was revoked shortly thereafter.⁹⁴⁸

B. Facts of Parole-Eligible Offenses

On November 20, 1975, Maddrey and three accomplices went to the Big Star Supermarket on High Street in Portsmouth to commit a robbery.⁹⁴⁹ A Portsmouth police officer was working at the store part-time when the robbery took place, and another off-duty officer happened to also be shopping in the store with his wife at the time.⁹⁵⁰ Maddrey and his accomplices subdued the officers, customers, and employees at gunpoint while taking money from the register.⁹⁵¹ One of the men fired a warning shot into the roof of the store as they left.⁹⁵² Three of the men left together, and Maddrey went off in another direction with Portsmouth Police in pursuit.⁹⁵³

Maddrey was found by two officers hiding under the back porch of a nearby home.⁹⁵⁴ Maddrey refused orders to come out from underneath the porch.⁹⁵⁵ As one officer bent down to release his police dog, Maddrey shot at the officer with a shotgun, causing severe injuries that required multiple operations and resulted in permanent damage.⁹⁵⁶ Maddrey managed to get away, and he later shot a second auxiliary police officer in the arm and shoulder with his shotgun; that officer was able to apprehend Maddrey despite his injuries.⁹⁵⁷

Maddrey initially gave police a false name and address and denied involvement in the robbery.⁹⁵⁸ One of Maddrey's accomplices gave his name to police, leading Maddrey to admit to shooting the first officer because the officer had put his dog on him.⁹⁵⁹ Maddrey still denied involvement in the robbery, and he later falsely argued at trial that he was only visiting in the neighborhood when police mistakenly arrested him for the robbery and shooting.⁹⁶⁰

C. Prior Criminal History and Institutional Discipline

Maddrey's prior criminal history includes convictions for attempted robbery in Portsmouth in 1969, a parole revocation in 1973, as well as receiving stolen property and eluding police in 1973.⁹⁶¹ Maddrey committed 13 institutional infractions during both of his terms of incarceration, including four instances of possession of contraband, possession of a weapon, and inciting a riot.⁹⁶²

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Maddrey on November 5, 2019 at Sussex II State Prison.⁹⁶³ The examiner wrote that Maddrey had positive social skills and was an example for other inmates.⁹⁶⁴ Maddrey told the examiner, “I regret the negative things that I did that hurt anyone. I have made peace with what I have done in my past and I am tired.”⁹⁶⁵ The examiner recommended that Maddrey be granted parole.⁹⁶⁶

E. Parole Board Deliberations and Victim and Prosecutor Conflict

VPB accepted two letters, an in-person meeting, and a phone interview with Maddrey’s supporters during the years he was eligible for discretionary parole.⁹⁶⁷ On December 31, 2019, VPB member Kemba Pradia voted to grant Maddrey discretionary parole.⁹⁶⁸ On January 24, 2020, Chair Adrienne Bennett voted to grant Maddrey parole.⁹⁶⁹ On February 24, 2020, member Sherman Lea voted against granting Maddrey parole.⁹⁷⁰ On March 3, 2020, member Linda Bryant cast the final necessary vote to grant Maddrey parole.⁹⁷¹ VPB records list the “Decision Date” in Maddrey’s case as “03/03/2020.”⁹⁷²

On March 19, 2020, Victim Input Coordinator Lisa Bowen input the following note into Maddrey’s CORIS file:

VICTIM RESEARCH COMPLETE - There is one email and one anonymous phone number registered in VINE. I am not able to make a connection to the offender of the victim. The offender is a parole violator with new drug charges in 2004. No further research is necessary. Ready to certify.

VPB documented no attempts to identify, research, or contact the robbery victims from the grocery store or the two police officers whom Maddrey attempted to murder.

Chair Adrienne Bennett input two notes on March 29, 2020 stating “Ready to Certify,” and VPB certified its decision to grant Maddrey discretionary parole on March 30, 2020.⁹⁷³ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Portsmouth Commonwealth’s Attorney’s Office on March 31, 2020; there is no evidence that the notification was received.⁹⁷⁴ Maddrey was released from Sussex II State Prison on May 26, 2020.⁹⁷⁵

F. Violations of Law

VPB’s decision to grant Ervin Maddrey discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the victims of Maddrey’s robbery and shooting offenses before voting to release him.⁹⁷⁶

Release of Felix Samuels

A. Sentencing Information

On July 14, 1992, Felix Samuels was sentenced in Norfolk Circuit Court to life in prison for first-degree murder and two years for use of a firearm in the commission of murder.⁹⁷⁷

B. Facts of Parole-Eligible Offenses

On July 18, 1991, 24-year-old Felix Samuels shot 29-year-old [REDACTED] once in the chest with an AK-47, killing him.⁹⁷⁸ [REDACTED] had allegedly struck Samuels’ sister, whom he was

dating, 24 hours earlier, leading to Samuels' retaliation.⁹⁷⁹

C. Prior Criminal History and Institutional Discipline

Samuels' criminal history began at age 14 and includes convictions for burglary, trespassing, and assault & battery.⁹⁸⁰ Samuels committed five institutional infractions while incarcerated, including fighting and assault.⁹⁸¹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Samuels on June 5, 2019 at Buckingham Correctional Center.⁹⁸² Samuels told the examiner that he believed he was worthy of a second chance, and that he knew had changed but did not know how to prove it.⁹⁸³ Samuels stated that he lost out on a lot by going to prison, but not as much as his victim.⁹⁸⁴ Samuels concluded by stating, "I have grown up and understand the consequences of my crime and the importance of life and living around regular citizens now."⁹⁸⁵ The examiner recommended that Samuels be granted parole.⁹⁸⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted eight letters or phone calls on Samuels' behalf during his eligibility for discretionary parole, which spanned 2003–2019. VPB also held a meeting with Samuels' supporters on April 9, 2019.⁹⁸⁷

On June 11, 2019, VPB member Linda Bryant voted to grant Samuels discretionary parole.⁹⁸⁸ On July 13, 2019, VPB member A. Lincoln James voted to grant Samuels parole.⁹⁸⁹ On July 30, 2020, member Sherman Lea voted to grant Samuels parole.⁹⁹⁰ On August 29, 2019, Chair Adrienne Bennett cast the final necessary vote to grant Samuels parole.⁹⁹¹ VPB records list the "Decision Date" in Samuels' case as "08/29/2019."⁹⁹²

Beginning on November 12, 2019 and continuing into December 2019, VPB employee Crystal Noakes placed several notes in CORIS detailing her efforts to research the victim's surviving family members.⁹⁹³ Noakes wrote that she had enlisted a VPB investigator to locate the victim's mother; despite the investigator's initial confirmation that the victim's mother lived at a particular address, a notification letter was returned "addressee unknown."⁹⁹⁴

On March 30, 2020, Chair Bennett placed a note in CORIS stating "Ready to certify," and VPB certified its decision to grant Samuels discretionary parole on March 31, 2020.⁹⁹⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk Commonwealth's Attorney's Office on April 1, 2020; there is no evidence the notification was received.⁹⁹⁶ Samuels was released from Buckingham Correctional Center on April 22, 2020.⁹⁹⁷

F. Violations of Law

VPB's decision to release Felix Samuels on discretionary parole violated Va. Code § 53.1-155(B), because VPB members cast all the necessary votes to release Samuels before VPB "endeavored diligently" to contact the family of Samuels' murder victim.

VPB further violated Va. Code § 53.1-136(3)(c) by failing to notify the Norfolk Commonwealth's Attorney's Office at least 21 business days prior to Samuels' release.

Release of Genesis Asiatic, f/k/a Demetrius Day

A. Sentencing Information

Demetrius Day was originally sentenced in Hampton Circuit Court on December 22, 1994 for grand larceny of an automobile and receiving stolen property offenses that he committed on September 18, 1993.⁹⁹⁸ Day was sentenced to 10 years for auto theft and five years suspended for receiving stolen property.⁹⁹⁹ Day was paroled from those sentences on October 2, 1996.¹⁰⁰⁰ On December 18, 1996, 22-year-old Day committed second-degree murder in a Norfolk shooting; he was arrested on January 30, 1997.¹⁰⁰¹ Day pled guilty to second-degree murder and use of a firearm in the commission of a felony and was sentenced to a total term of 43 years in prison with 18 years suspended on September 18, 1997.¹⁰⁰² Day changed his name to “Genesis Allah Asiatic” in Powhatan Circuit Court in 2005.¹⁰⁰³ At the time of his 2020 discretionary parole release, Day/Asiatic’s anticipated mandatory parole release date was in 2024.¹⁰⁰⁴

B. Facts of Parole-Eligible Offenses

On December 18, 1996, at approximately 7:30 p.m., Day was riding in a car with co-defendants Calvin Thrower and Christopher Painter.¹⁰⁰⁵ Thrower gave Day and Painter a 9mm handgun and ammunition.¹⁰⁰⁶ Thrower then directed Day and Painter to shoot into the residence located at [REDACTED], in Norfolk; Thrower had threatened to kill the resident, [REDACTED], on several occasions.¹⁰⁰⁷ [REDACTED]’s family was home at the time, but [REDACTED] himself was not.¹⁰⁰⁸ Thrower parked down the street, and Day and Painter walked to [REDACTED]’s apartment and shot inside 33 times.¹⁰⁰⁹ The men shot [REDACTED]’s mother, [REDACTED], in the back, killing her; Mrs. [REDACTED] was inside cooking dinner and watching TV at the time.¹⁰¹⁰ Day and Painter ran back to the car and gave the guns back to Thrower.¹⁰¹¹ Day confessed to the murder after being Mirandized by Norfolk detectives.¹⁰¹²

C. Prior Criminal History and Institutional Discipline

Day was adjudicated delinquent of burglary and grand larceny in 1991. He was additionally adjudicated delinquent of destruction of property in 1992.¹⁰¹³ As an adult, Day was convicted of grand larceny and petit larceny.¹⁰¹⁴ Day committed eight institutional infractions while incarcerated, including making sexual advances toward staff and assault.¹⁰¹⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Day on March 12, 2020 at State Farm Correctional Center.¹⁰¹⁶ The examiner noted that Day’s most recent COMPAS recidivism assessment showed an overall risk level of medium, with a medium risk for violent recidivism.¹⁰¹⁷

Day stated that his murder conviction stemmed from “wanting to be liked.”¹⁰¹⁸ He told the examiner that a friend of his had gotten shot, and he told the friend “I got your back, I was shown the house, I went and shot the place up.”¹⁰¹⁹ Day stated that he was told later that night that someone died from him having shot the house up; while he now went by the name “Genesis Asiatic,” he stated that he “cannot explain how Demetrius Day, ‘the real me,’ felt.”¹⁰²⁰ The parole examiner recommended against release, noting that Day committed the murder just 2 months after being released on discretionary parole.¹⁰²¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

On March 22, 2020, Chair Adrienne Bennett input a note into CORIS stating that “This offender completed his new law sentence and is now parole eligible on his old law property offenses. He had a probation violation in 1997 and a parole violation in 2002 (I do not have an explanation for why it took 5 years for him to have a parole violation hearing). If he is granted parole - no victim research is required as this is a parole violation only.”¹⁰²² VPB documented no attempts to identify the victims of Day’s original grand larceny of an automobile and receiving stolen property convictions, for which he was still on parole when he committed murder.¹⁰²³

Chair Bennett voted to grant Day discretionary parole the same day.¹⁰²⁴ VPB member A. Lincoln James voted to grant Day parole on March 26, 2020.¹⁰²⁵ Board member Sherman Lea cast the final vote necessary to grant Day parole on March 27, 2020.¹⁰²⁶ Board records list the “Decision Date” in Day’s case as “03/30/2020.”¹⁰²⁷ On March 31, 2020, Chair Bennett posted a note stating “ready to certify,”¹⁰²⁸ and VPB certified its decision to grant Day parole the same day.¹⁰²⁹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Hampton Commonwealth’s Attorney’s Office on April 3, 2020; no return receipt was ever received.¹⁰³⁰ Day was released from State Farm Correctional Center on June 10, 2020.¹⁰³¹

F. Violations of Law

VPB’s decision to grant Demetrius Day (a/k/a Genesis Allah Asiatic) discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the victim of his original auto theft and receiving stolen property offenses.¹⁰³²

Release of Glenwood Henderson

A. Sentencing Information

Glenwood Henderson was convicted of robbery in Richmond City in 1981, receiving an 8-year active sentence.¹⁰³³ Henderson was released on parole, and while under supervision, he was convicted of burglary, grand larceny, and possession of a weapon by an inmate in Henrico in 1985, receiving an additional 6-year sentence.¹⁰³⁴ Henderson was released on parole again in 1987; while on supervision in 1988, Henderson was convicted of possession of a firearm by a convicted felon and possession of cocaine in Richmond City, receiving a 3-year active sentence.¹⁰³⁵ Henderson was released on mandatory parole in 1993 and successfully completed his supervision period.¹⁰³⁶

In April 1995, Henderson was convicted of robbery in Henrico Circuit Court, receiving a 30-year sentence.¹⁰³⁷ Henderson was released again on parole in May 2010.¹⁰³⁸ Henderson was convicted of attempted robbery and driving after forfeiture of his license in Henrico in 2013; he received a 3-year sentence, and his parole was again revoked.¹⁰³⁹

B. Facts of Parole-Eligible Offenses

On October 21, 1994, the victim, who was on crutches, had just come home and was walking in his front door when Henderson pushed his way in behind him.¹⁰⁴⁰ Henderson pushed the man to the floor in his living room and told him to hand over his money and jewelry.¹⁰⁴¹ The victim gave Henderson his wallet, which contained \$1; Henderson then reached into the victim’s pocket and took \$13.¹⁰⁴² Henderson then forced the victim into the kitchen, where he put a butcher knife to the victim’s throat and forced him to remove a ring from his finger.¹⁰⁴³ The ring was too tight, and Henderson put dish detergent on the victim’s hand to get the ring off.¹⁰⁴⁴ Henderson then

went to a front bedroom and went through a jewelry box; he took a CD player, and then left.¹⁰⁴⁵ The victim later identified Henderson in a photo lineup.¹⁰⁴⁶

C. Prior Criminal History and Institutional Discipline

Henderson has additional convictions for unlawful entry, attempting to elude police, possession of marijuana, and two misdemeanor thefts.¹⁰⁴⁷ Henderson committed four institutional infractions while incarcerated.¹⁰⁴⁸

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Henderson on August 28, 2019 at Lawrenceville Correctional Center.¹⁰⁴⁹ Henderson told the examiner that he was more spiritual now and had realized how much time he had wasted.¹⁰⁵⁰ Henderson admitted that he was guilty of his crimes and stated that he felt remorse for what he had done.¹⁰⁵¹ The examiner recommended that Henderson be released.¹⁰⁵²

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted one letter in support of Henderson in 2006, and a meeting with Henderson's supporters was held in 2007.¹⁰⁵³ No information regarding victim research or contact appears in VPB records until February 21, 2020.¹⁰⁵⁴

On December 6, 2019, Chair Adrienne Bennett voted to grant Henderson discretionary parole.¹⁰⁵⁵ On December 18, 2019, member Sherman Lea voted to grant Henderson parole.¹⁰⁵⁶ On February 4, 2020, member Linda Bryant cast the final necessary vote to grant Henderson parole.¹⁰⁵⁷ VPB records list the "Decision Date" in Henderson's case as "02/04/2020."¹⁰⁵⁸

On February 21, 2020, Victim Input Coordinator Lisa Bowen input the following note into Henderson's CORIS file:

VICTIM RESEARCH - No registered victims in VINE. The offender is a parole violator with a new robbery conviction in November 2012 in Henrico County. No information available regarding this charge. Sent request to Henrico V/W for help with victim information.¹⁰⁵⁹

On March 17, 2020, Victim Input Coordinator Bowen input a note stating "VICTIM RESEARCH COMPLETE - No response from V/W office. No further research necessary. Ready to certify."¹⁰⁶⁰ VPB certified its decision to grant Henderson discretionary parole on March 30, 2020.¹⁰⁶¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to a prosecutor's office on March 31, 2020; there is no indication that the notification was received.¹⁰⁶² Henderson was released from Lawrenceville Correctional Center on May 11, 2020.¹⁰⁶³

F. Violations of Law

VPB's decision to grant Glenwood Henderson discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Henderson's multiple victims before all necessary votes were cast to release him.

Release of Gregory Mazyck

A. Sentencing Information

Then-18-year-old Gregory Mazyck was convicted of first-degree murder and conspiracy to commit robbery in Norfolk in 1995.¹⁰⁶⁴ He was sentenced to life in prison.¹⁰⁶⁵

B. Facts of Parole-Eligible Offenses

On August 21, 1993, Mazyck and two codefendants planned a robbery at an apartment in Norfolk.¹⁰⁶⁶ Mazyck and his two codefendants broke the door down and began firing into the apartment with weapons including a sawed-off shotgun and a rifle.¹⁰⁶⁷ Inside, a 20-year-old male victim was shot in the leg and chest, killing him.¹⁰⁶⁸

C. Prior Criminal History and Institutional Discipline

Mazyck has prior convictions for grand larceny, possession of cocaine, and unlawful possession of a concealed weapon.¹⁰⁶⁹ Mazyck committed 7 institutional infractions while incarcerated, 6 of which involved possessing or using drugs or intoxicants, and two of which occurred in 2019 and 2020.¹⁰⁷⁰

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Mazyck on December 20, 2019 at Nottoway Correctional Center.¹⁰⁷¹ Mazyck told the examiner that he was older now and had matured, and if he was released, he would be a successful and productive citizen.¹⁰⁷² Despite having incurred institutional infractions in 2019 and 2020, Mazyck told the examiner that he had maintained infraction-free behavior for several years.¹⁰⁷³ Mazyck stated that his arrogance and ignorance put him in prison, but he was determined not to give any more of his life to the Department of Corrections.¹⁰⁷⁴ The examiner noted that a recent COMPAS recidivism assessment listed Mazyck as a high risk for general recidivism.¹⁰⁷⁵ The examiner recommended against releasing Mazyck.¹⁰⁷⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted 6 letters from Mazyck's supporters between 2006 and 2020.¹⁰⁷⁷ VPB also took 5 meetings with supporters.¹⁰⁷⁸ During a January 2020 meeting with Mazyck's supporters, member Sherman Lea "expressed his concern regarding [Mazyck's] behavior in prison" as "an indication of him not being able to follow the rules in a very controlled environment."¹⁰⁷⁹

The only victim research or contact information in VPB files was the following January 21, 2020 note from Victim Input Coordinator Lisa Bowen: "VICTIM RESEARCH- No registered victims in VINE for this offender or codefendants. The murder victim is [REDACTED]. I was not able to locate him in the database. No contact with Norfolk V/W."¹⁰⁸⁰

On February 18, 2020, member Sherman Lea voted against granting Mazyck discretionary parole, citing the following reasons: "Crimes committed (Homicide-1st Degree; Cocaine-Possess; Conspiracy); The Board considers you to be a risk to the community."¹⁰⁸¹ On March 27, 2020, member Linda Bryant voted to grant Mazyck parole.¹⁰⁸² On March 29, 2020, member Kemba Pradia voted to grant Mazyck parole.¹⁰⁸³ On March 31, 2020, member A. Lincoln James voted to grant Mazyck parole; Chair Adrienne Bennett cast the final necessary vote to release Mazyck the same day.¹⁰⁸⁴ VPB records reflect that this was the second round of voting in Mazyck's case; the first round of votes is no longer stored.¹⁰⁸⁵ VPB records list the "Decision Date" and "Certification

Date” in Mazyck’s case as “03/31/2020.”¹⁰⁸⁶ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Virginia Beach and Norfolk Commonwealth’s Attorneys’ Offices on April 3, 2020; the notifications were received on April 10, 2020.¹⁰⁸⁷ Mazyck was released from Nottoway Correctional Center on April 24, 2020.¹⁰⁸⁸

F. Violations of Law

VPB’s decision to grant Gregory Mazyck discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact Mazyck’s murder victim’s family.

VPB’s decision to grant Gregory Mazyck discretionary parole also constituted two violations of Va. Code § 53.1-136(3)(c), because VPB failed to notify the Virginia Beach and Norfolk Commonwealth’s Attorneys’ offices at least 21 business days prior to Mazyck’s release.

Release of Gregory Snowden

A. Sentencing Information

Gregory Snowden was convicted of 3 robberies, abduction, and 4 companion counts of use of a firearm in the commission of a felony in Virginia Beach and Norfolk between 1989 and 1990.¹⁰⁸⁹ Snowden was sentenced to 65 years.¹⁰⁹⁰

B. Facts of Parole-Eligible Offenses

On January 30, 1989, Snowden entered First Virginia Bank in Norfolk armed with a sawed-off shotgun.¹⁰⁹¹ Snowden confronted one of the tellers and demanded money from her drawer. Snowden obtained \$1,733 from the first teller after discarding a dye pack.¹⁰⁹² Snowden went to another teller’s window, demanded money, and received \$1,322.¹⁰⁹³ Snowden then demanded money from a third teller, receiving \$1,088.¹⁰⁹⁴ Snowden then ordered the teller to lay on the floor.¹⁰⁹⁵ Snowden also ordered a customer to lay on the floor.¹⁰⁹⁶ A van located near the bank was found to belong to Snowden, and witnesses identified Snowden in photographs.¹⁰⁹⁷

C. Prior Criminal History and Institutional Discipline

Snowden has prior convictions for trespassing, driving after being adjudged a habitual offender, and drunk in public.¹⁰⁹⁸ The parole examiner noted the following about Snowden’s institutional disciplinary record:

Snowden’s overall institutional adjustment is unsatisfactory with another Lewd/Obscene acts infraction in 2014. In 2012 he incurred indecent exposure and four (4) infractions in 2011, including lewd/obscene acts. History reflects at least 70 infractions, with 15 lewd acts/indecent exposure or sexual advances infractions during incarceration.¹⁰⁹⁹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Snowden on October 10, 2019 at Augusta Correctional Center.¹¹⁰⁰ Snowden told the examiner that he was young and needed money to pay bills, leading him to the banks.¹¹⁰¹ Snowden told the examiner that he would no longer try to take the easy way out, and that he would use his good work ethic to remain positive.¹¹⁰² The examiner recommended against releasing Snowden.¹¹⁰³

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted 16 letters in support of Snowden between 2003 and 2019.¹¹⁰⁴ VPB also took a meeting with Snowden's supporters in October 2019.¹¹⁰⁵

On October 28, 2019, VPB member Linda Bryant voted to grant Snowden discretionary parole.¹¹⁰⁶ On December 8, 2019, member Kemba Pradia voted to grant Snowden parole.¹¹⁰⁷ On January 6, 2020, member Sherman Lea cast the final necessary vote to release Snowden.¹¹⁰⁸ VPB records list the "Decision Date" in Snowden's case as "01/06/2020."¹¹⁰⁹

On January 15, 2020, Victim Input Coordinator Lisa Bowen input a note in Snowden's CORIS file stating "VICTIM RESEARCH - No registered victims in VINE/CORIS. I have sent information to Norfolk and Virginia Beach V/W offices for help with victim information."¹¹¹⁰ On January 31, 2020, Bowen input another note stating the following:

VICTIM RESEARCH COMPLETE - Virginia Beach V/W sent response the offender's file was destroyed in 2015. My attempts to reach Norfolk V/W have not been successful via email and phone. No further research is necessary. Ready to certify.¹¹¹¹

On March 30, 2020, Chair Adrienne Bennett entered duplicate notes in Snowden's file stating "Ready to certify."¹¹¹² VPB certified its decision to grant Snowden discretionary parole on March 31, 2020.¹¹¹³ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Virginia Beach, Norfolk, and Portsmouth Commonwealth's Attorney's Offices on April 6, 2020; the Virginia Beach and Norfolk offices received the notification on April 10, 2020, and the Portsmouth office received the notification on April 28, 2020.¹¹¹⁴ Snowden was released from Augusta Correctional Center on April 28, 2020.¹¹¹⁵

Following Snowden's release, the Virginia Beach Commonwealth's Attorney's Office provided contact information for one of Snowden's robbery victims, who stated that she had not been contacted by VPB.¹¹¹⁶

F. Violations of Law

VPB's decision to grant Gregory Snowden discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Snowden's robbery victims before voting to release Snowden.

VPB's decision to grant Gregory Snowden discretionary parole further violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Virginia Beach Commonwealth's Attorney's Office at least 21 business days prior to Snowden's release.

Release of Gregory Walker

A. Sentencing Information

On February 6, 1979, Gregory Walker was sentenced in Norfolk Circuit Court for the crimes of first-degree murder, burglary, and two counts of grand larceny.¹¹¹⁷ Walker committed the murder and burglary on February 16, 1978, while he was free on bail for a sentencing reconsideration on the two counts of grand larceny committed in November and December 1977.¹¹¹⁸ Walker was sentenced to life in prison for murder, 25 years for burglary, 12 months for the November 1977 grand larceny, and five years for the December 1977 grand larceny.¹¹¹⁹

B. Facts of Parole-Eligible Offenses

On the evening of June 30, 1978, Walker entered the home of his 79-year-old landlord, [REDACTED], located at [REDACTED] in Norfolk.¹¹²⁰ Walker stabbed Ms. [REDACTED] 22 times, killing her.¹¹²¹ Walker then stole Ms. [REDACTED]'s television set and Buick vehicle, along with her hairdryer.¹¹²² Walker told his codefendant that he was going to "kill the bitch" and showed him a knife before going to Ms. [REDACTED]'s home to kill her.¹¹²³

The victim's sister-in-law discovered her body three days later.¹¹²⁴ The medical examiner listed the cause of death as "multiple stab wounds of trunk and slash wounds of neck, penetrating inferior vena cava, aorta, pulmonary artery, liver and severing carotid artery, with hemorrhage."¹¹²⁵

C. Prior Criminal History and Institutional Discipline

Walker was undesirably discharged from the U.S. Army in 1975.¹¹²⁶ He had no prior criminal history.¹¹²⁷ While incarcerated, Walker committed ten institutional infractions, including two counts of possession of contraband, two counts of being under the influence of a drug or intoxicant, possession of drugs, and possession of a weapon.¹¹²⁸

D. Parole Examiner Interview and Recommendation

Walker had been interviewed for parole on at least 16 prior occasions without receiving a favorable recommendation.¹¹²⁹ In a VPB file note, a parole examiner noted that Walker denied committing the murder but admitted that he and the codefendant went to the victim's house unannounced on the date of the offense.¹¹³⁰ Walker also admitted that he stole the victim's car.¹¹³¹ The examiner noted that Walker's version of events was internally contradictory and did not make sense; when the examiner confronted Walker with his statement "I killed the bitch," Walker "shrugged it off and had nothing else to say about it."¹¹³²

During his November 6, 2019 parole interview at Buckingham Correctional Center, Walker continued to deny responsibility for his murder and burglary, claiming that his codefendant "must have done it."¹¹³³ The 2019 parole examiner recommended against releasing Walker.¹¹³⁴

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted four letters and phone calls in support of Walker between 2005 and 2009.¹¹³⁵ VPB also took a meeting with Walker's supporters and advocates in January 2020.¹¹³⁶

In March 2017, VPB victim services employee Jovenia Stegner noted that there was no victim information or registration in the VINE or CORIS systems, and that the local Victim/Witness program did not have any information on Walker's case.¹¹³⁷ In April 2019, Victim Input Coordinator Lisa Bowen placed the following note in Walker's file:

VICTIM RESEARCH - There is one phone number registered in VINE. It is showing in the database as belonging to [REDACTED]. There is a note indicating "the primary subject associated to this phone is deceased." The murder victim is [REDACTED]. I found her in the death record database. She has no relatives listed in the report in the database. Jovi placed a note in the summary report on March 21, 2017 that no victims were registered in VINE/CORIS and nothing was located through local V/W office. The date of the crime 06/30/1978 far precedes the creation of the database. No further research is necessary.¹¹³⁸

On January 15, 2020, VPB member Kemba Pradia voted to grant Walker discretionary parole. The next day, member A. Lincoln James voted against releasing Walker. On February 11, 2020, member Linda Bryant voted to grant Walker parole. On February 14, 2020, Chair Adrienne Bennett voted to grant Walker parole. On March 18, 2020, member Sherman Lea cast the final necessary vote to grant Walker parole. VPB records indicate that this was the second round of voting on Walker's case, but the first round of votes is no longer stored.¹¹³⁹ VPB records list the "Decision Date" in Walker's case as "03/18/2020."¹¹⁴⁰ VPB certified its decision to grant Walker parole on March 31, 2020.¹¹⁴¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk Commonwealth's Attorney's Office on April 3, 2020; that office received the notification, but the return receipt was undated.¹¹⁴² Walker was released from Buckingham Correctional Center on June 10, 2020.¹¹⁴³

F. Violations of Law

No violations found.

Release of Harold Martin

A. Sentencing Information

On his 20th birthday, January 1, 1981, Harold Martin committed rape, attempted murder, robbery, burglary, and two counts of forcible sodomy in Richmond.¹¹⁴⁴ On June 30, 1981, in Richmond City Circuit Court, Martin was sentenced to 40 years for rape, 10 years for attempted murder, 20 years for robbery, 20 years for burglary, and five years for each count of forcible sodomy, for a total active sentence of 100 years in prison.¹¹⁴⁵

B. Facts of Parole-Eligible Offenses

On the night of January 1, 1981, Martin smashed the glass of the apartment door belonging to a female occupant and entered the apartment.¹¹⁴⁶ As the victim got out of bed to investigate the noise, Martin struck her in the face with his fist.¹¹⁴⁷ Martin then forced the victim back into her bedroom, where he raped and sodomized her in the vagina, anus, and mouth.¹¹⁴⁸

Martin spent approximately two hours in the victim's apartment.¹¹⁴⁹ He ransacked the bedroom and living room in search of money.¹¹⁵⁰ Before leaving, Martin attempted to suffocate the victim by holding a pillow over her head.¹¹⁵¹ Martin also placed a knife to the victim's throat, saying that he was going to kill her because she saw his face.¹¹⁵² The victim escaped and ran out of her apartment, and she later positively identified Martin as her attacker.¹¹⁵³ Martin denied any involvement in the offenses and pled not guilty at trial.¹¹⁵⁴

C. Prior Criminal History and Institutional Discipline

Martin had a juvenile record in Richmond, but that record had been expunged by the time he committed rape and related offenses in 1981.¹¹⁵⁵ Martin had no adult criminal history.¹¹⁵⁶ While incarcerated, Martin committed 12 institutional infractions, including three instances of fighting, two instances of possession of contraband, and making a physical sexual advance toward a female correctional officer in July 2017.¹¹⁵⁷

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Martin on December 3, 2019 at Lawrenceville Correctional Center.¹¹⁵⁸ Martin stated the following about his rape conviction:

I tried to steal and get money to feed my addiction to pills and alcohol. I was breaking into houses to get stuff to sell. I broke into an apartment through the door which was open and I went in because I thought no one was home. The young lady, who I later found out was 24 years old, came out the bedroom and startled me, so when I turned around and saw her, I attacked her. I jumped on her and hit her, knocked her down, and took advantage of the situation. I raped her. Afterwards she startled tussling with me, she managed to get a lamp and hit me with the lamp over my eye, and then she got a knife and as we tussled with it, she got cut in h[er] chest area. I ran out of the apartment taking some jewelry. I went to MCV hospital and was treated for the gash over my eye. I then went to the McDonald's up the street and then went to a friend's house. I got on the bus and did not know that the victim was on the same bus. When she got off the bus, she called the police. I was arrested shortly after getting off the bus. I pled not guilty because I did not want to admit what I had done and I did not want to go to prison. I was ashamed for my family. The jury found me guilty, I started crying, and I could not think. I feel remorseful. I wish I was never there. It happened and I can't take it back. I take full ownership of what I did to her. I am truly sorry for what I did to her and I know that I affected her life in a negative way. I pray that she has had a good life.¹¹⁵⁹

The examiner recommended that Martin be granted parole.¹¹⁶⁰

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB took seven meetings with Martin's supporters over the years, including a Board appointment on November 13, 2019.¹¹⁶¹ VPB also received ten letters from Martin's supporters during his discretionary parole eligibility.¹¹⁶² No information regarding victim contact appeared in VPB files until after voting was completed.¹¹⁶³

On January 30, 2020, VPB member Kemba Pradia voted to grant Martin discretionary parole.¹¹⁶⁴ On February 6, 2020, member A. Lincoln James voted to grant Martin parole.¹¹⁶⁵ On March 16, 2020, member Sherman Lea cast the final necessary vote to grant Martin parole.¹¹⁶⁶ VPB records list the "Decision Date" in Martin's case as "03/16/2020."¹¹⁶⁷ On March 26, 2020, Victim Input Coordinator Lisa Bowen input a note stating the following:

VICTIM RESEARCH COMPLETE - There is one anonymous phone number registered in VINE. I ran it through the database and it is showing as "[REDACTED]." CORIS is showing entries with [REDACTED] as the offender's wife. The PSI only has the name of the victim as "Ms. [REDACTED]." Richmond V/W has no records prior to 2001 so they will not have victim information for this crime that took place in January 1981. No further research is necessary. Ready to certify.¹¹⁶⁸

On March 31, 2020, Chair Adrienne Bennett input a note stating "Ready to certify," and VPB certified its decision to grant Martin discretionary parole the same day.¹¹⁶⁹ On April 9, 2020, member Linda Bryant placed a note in CORIS stating "SVP [sexually violent predator] screen came back. No further eval needed."¹¹⁷⁰

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond Commonwealth's Attorney's Office on April 6, 2020; that office received the notification on April 10, 2020.¹¹⁷¹ Martin was released from Lawrenceville Correctional Center on May 8, 2020.¹¹⁷²

F. Violations of Law

VPB's decision to grant Harold Martin discretionary parole violated Va. Code § 53.1-155(B), because VPB did not "endeavor diligently" to contact Martin's victim until after VPB members had cast all the necessary votes to release Martin.

Release of Henry Burton

A. Sentencing Information

Henry Burton was convicted of 8 robberies in Roanoke City, Roanoke County, and Salem in 1976.¹¹⁷³ He was sentenced to a total active term of 25 years and was released on discretionary parole in May 1989.¹¹⁷⁴ Burton committed 3 armed robberies and 3 companion offenses of using a firearm to commit a felony in Wythe, Washington, and Pulaski in 1996.¹¹⁷⁵ In 2000, Burton was sentenced to three consecutive life terms.¹¹⁷⁶ Burton pled guilty to these offenses.¹¹⁷⁷

B. Facts of Geriatric Conditional Release-Eligible Offenses

On December 9, 1996, Burton entered the Acme Market in Wytheville and showed the store manager a small, black frame revolver.¹¹⁷⁸ Burton ordered the manager to move into the office and to get the money.¹¹⁷⁹ Burton and the manager entered the office, and Burton forced the manager to open the office cash drawer.¹¹⁸⁰ Burton then instructed the manager to place the money in a small white plastic bag.¹¹⁸¹ Burton told the clerk and another person to lie on the ground or he would blow their heads off; they both complied.¹¹⁸² After obtaining \$3,350 in cash and \$50 in food stamps, Burton left the store.¹¹⁸³

On December 23, 1996, the Washington County, Virginia authorities contacted the investigator from Wytheville to advise that they had experienced a similar armed robbery.¹¹⁸⁴ Investigators compiled a photo lineup, and witnesses were able to positively identify Burton as the robber.¹¹⁸⁵ Warrants for Burton were obtained, and investigators later learned that Burton was in custody in West Virginia for a separate armed robbery.¹¹⁸⁶ Burton's CORIS file reflected an active detainer from West Virginia.¹¹⁸⁷

On December 29, 1996, Burton entered a Food Lion in Pulaski armed with a handgun and confronted the assistant manager.¹¹⁸⁸ Burton forced the assistant manager to fill a bag with \$320 in cash.¹¹⁸⁹ When the manager arrived, Burton forced him to open the store's safe at gunpoint, and Burton took \$4,407.60 worth of money and postage stamps.¹¹⁹⁰

C. Prior Criminal History and Institutional Discipline

Burton's criminal record began in 1970 and includes convictions for two Virginia armed robberies in 1974 and 1975, a federal armed bank robbery in 1976, assault, and larceny by check.¹¹⁹¹ Burton's records reflect no institutional infractions while incarcerated.¹¹⁹²

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Burton on June 20, 2019 at River North Correctional Center.¹¹⁹³ The examiner noted that Burton was being interviewed for "Geriatric release,"¹¹⁹⁴ but VPB records show that Burton was later granted discretionary parole.¹¹⁹⁵ Burton told the examiner that no one got hurt during any of his offenses, but he did not consider the other side.¹¹⁹⁶ Burton had learned over the years that his crimes had an effect on the victims, their families, and the community.¹¹⁹⁷ Burton stated that back then, he thought it was OK as long as no one got hurt.¹¹⁹⁸

Burton saw things differently now, and he told the examiner he would never make those type of decisions again.¹¹⁹⁹ The examiner recommended that Burton be released.¹²⁰⁰

E. Parole Board Deliberations and Victim and Prosecutor Contact

Between 2013 and 2019, VPB received 13 letters and 13 phone calls from Burton's supporters.¹²⁰¹ VPB also took meetings with Burton's supporters in 2013 and 2019.¹²⁰² On August 7, 2019, Chair Adrienne Bennett placed a note in Burton's file stating "If granted parole – release to West Virginia Detainer."¹²⁰³

On August 8, 2019, Vice-Chair Jean Cunningham voted to grant Burton discretionary parole.¹²⁰⁴ On August 25, 2019, VPB member Sherman Lea voted to grant Burton parole.¹²⁰⁵ On September 3, 2019, member A. Lincoln James voted against granting Burton parole.¹²⁰⁶ On February 5, 2020, Chair Adrienne Bennett voted against granting Burton parole.¹²⁰⁷ On March 5, 2020, member Linda Bryant cast the final necessary vote to grant Burton parole.¹²⁰⁸ VPB records list the "Decision Date" in Burton's case as "03/05/2020."¹²⁰⁹

On March 5, 2020, member Linda Bryant placed a note in Burton's CORIS file stating "Requested victim research. Requested check into whether active detainer exists. If so, Burton's (sic) needs to be released to the active detainer."¹²¹⁰ On March 13, 2020, Victim Input Coordinator Lisa Bowen placed a note in Burton's file stating "VICTIM RESEARCH - No registered victims in VINE. I have sent victim information from the PSIs to Washington, Wythe, and Pulaski counties' V/W offices for help with victim contact information."

On March 23, 2020, Board investigator Clyde King placed a note in Burton's file stating that he had contacted a West Virginia official who confirmed that Burton's "detainer is for notification only" for supervision purposes.¹²¹¹ The same day, Victim Input Coordinator Bowen placed a note stating "VICTIM RESEARCH CORRECTION - Heard from Pulaski V/W. They did have information for two victims of 12/17/1996 Food Lion robbery. Response deadline for victim notification letters is April 13, 2020. No response to date from Wythe County."¹²¹² Again on March 23, 2020, Bowen placed a note in Burton's file stating "VICTIM RESEARCH COMPLETE - Washington County V/W has no victim information. No response received from the other V/W offices. No further research is necessary. Ready to certify."¹²¹³

On March 29, 2020, Chair Adrienne Bennett placed a note in Burton's file stating "Ready to Certify."¹²¹⁴ VPB certified its decision to grant Burton "Regular Parole," or discretionary parole, on March 30, 2020.¹²¹⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the "Roanoke" and Salem Commonwealth's Attorney's Offices on March 31, 2020; those offices received the notifications on April 3, 2020.¹²¹⁶ VPB records are unclear as to whether the notification was sent to the Roanoke City or Roanoke County Commonwealth's Attorney's Office, but Burton had robbery convictions in both jurisdictions.

On April 13, 2020, VPB employee Crystal Noakes placed a note in Burton's file stating that one of the victim notification letters had been returned as undeliverable. Burton was released from River North Correctional Center on April 29, 2020.¹²¹⁷

While Burton was eligible for geriatric conditional release, VPB instead granted him "Regular Parole," or discretionary parole.¹²¹⁸

1019231	Burton, Henry Douglas	Regular Parole	03/05/2020	Grant	03/30/2020	71	Male	Black	N/A
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However, Burton was ineligible for discretionary parole on his 1996 robberies due to the abolition of parole in Virginia.¹²¹⁹ Upon his release from custody, Burton signed a VPB form containing the traditional supervision conditions imposed on discretionary parolees.

P.B. Form I (Revised 12/08)	
VIRGINIA PAROLE BOARD CONDITIONS OF PAROLE	
TO: HENRY D. BURTON	No. 1019231
In accordance with law (Title 53.1-136, Chapter IV, Code of Virginia) you have been granted parole, and if accepted by you, your release from the Department of Corrections is directed on April 29, 2020	
You are placed under the custody and control of the Virginia Parole Board subject to the parole conditions listed below. While you are on parole the Board may revoke your parole, based on a violation of one or more of the conditions of parole, based on a finding by the Board that you are otherwise unfit or unsuitable to remain on parole supervision. Your parole may be extended beyond the established parole period for good cause shown. You are subject to arrest upon cause shown by the Parole Board or the Parole Officer.	
Your minimum date of release from supervision is LIFE , but you will remain under supervision until you receive the final order of discharge from the Parole Board.	
Your general parole conditions are:	
<ol style="list-style-type: none"> 1. I will obey all Federal, State and local laws and ordinances. 2. I will report any arrest, including traffic tickets, within 3 days to the Parole Officer. 3. I will maintain regular employment and I will notify the Parole Officer within 3 days of any changes in my employment. 4. I will report in person or by telephone to the Probation and Parole office listed below within three working days of my release from incarceration, and as otherwise instructed thereafter. 5. I will permit the Parole Officer to visit my home and place of employment. 6. I will follow the Parole Officer's instructions and will be truthful, cooperative, and report as instructed. 7. I will not use alcoholic beverages to the extent that it disrupts or interferes with my employment or orderly conduct. 8. I will not unlawfully use, possess or distribute controlled substances or related paraphernalia. 9. I will not use, own, possess, transport or carry a firearm. 10. I will not change my residence without the permission of the Parole Officer. I will not leave the State of Virginia or travel outside of a designated area without permission of the Parole Officer. 11. I will not abscond from supervision. <i>I freely, voluntarily and intelligently waive any right I may have to extradition if arrested outside of Virginia.</i> 	
The special conditions ordered by the Parole Board are: INTENSIVE SUPERVISION FOR A MINIMUM OF SIX MONTHS, THEREAFTER SUPERVISION LEVEL SHALL BE AT THE DISCRETION OF THE PAROLE OFFICER; NO TRESSPASSING ON PROPERTY OF THE VICTIM; FOLLOW MENTAL HEALTH TREATMENT PLAN OF COUNSELOR; DRUG AND ALCOHOL TESTING AS DIRECTED BY PAROLE OFFICER.	

VPB's discretionary parole supervision conditions form is titled differently than its supervision conditions for offenders granted geriatric conditional release:

GERIATRIC RELEASE VIRGINIA PAROLE BOARD CONDITIONS OF PAROLE	
TO: LEE STANLEY	No. 1171978

F. Violations of Law

VPB's decision to grant Henry Burton discretionary parole violated Va. Code § 53.1-155(B). VPB's victim contact efforts did not begin after VPB members had cast all the necessary votes to grant him discretionary parole.

VPB's decision to grant Henry Burton discretionary parole also violated Va. Code § 53.1-165.1. Burton committed three armed robberies in 1996, after discretionary parole had been abolished. Burton was not eligible for the type of release VPB granted him.

VPB's decision to grant Henry Burton discretionary parole also violated Va. Code § 53.1-136(3)(c), because while Burton had convictions in three jurisdictions, VPB only has a record of sending two notification letters.

Release of Henry Holmes

A. Sentencing Information

Henry Holmes was convicted of 3 robberies, 3 counts of use of a firearm in the commission of a felony, 2 burglaries, grand larceny of an automobile, attempted fraud, and conspiracy in Norfolk and Virginia Beach in 1994 and 1995.¹²²⁰ He was sentenced to 45 years.¹²²¹

While incarcerated at Augusta Correctional Center in 2015, Holmes was convicted of conspiring to deliver drugs to a prisoner and sentenced to serve one additional year.¹²²²

B. Facts of Parole-Eligible Offenses

On May 1, 1994 at 10:00 p.m., at the McDonald's located at 6680 Indian River Road in Virginia Beach, three men, including Holmes, entered the restaurant with firearms and demanded that one of the employees lie on the floor.¹²²³ Holmes then went to the side office and ordered an employee to open the front counter register.¹²²⁴ The men then ordered the store manager to open the safe. After taking the safe money, Holmes ordered another employee to open the drive-thru cash drawer. Holmes then ordered another employee to get down on the floor.¹²²⁵ The three men then left on foot towards the rear of the McDonalds near a bowling alley on Indian River Road.¹²²⁶

On May 25, 1994 at 1:30 a.m., at the McDonald's located at 601 First Colonial Road in Virginia Beach, the night manager was letting some employees out.¹²²⁷ Five men, including Holmes, forced their way through the door.¹²²⁸ One of the men brandished a gun and demanded that the manager open the safe.¹²²⁹ The manager stated that he could not open the safe because he did not have the keys.¹²³⁰ The men gave him a set of keys that were on the counter and told the manager to try them, but they would not work.¹²³¹ The men made everyone get on the floor, and as they left, they took a telephone and the manager's keys.¹²³²

C. Prior Criminal History and Institutional Discipline

Holmes has prior convictions for 8 burglaries, 7 grand larcenies, and petit larceny.¹²³³ Holmes committed 79 institutional infractions while incarcerated, including 30 instances of disobeying an order, 13 instances of being in an unauthorized area, 6 instances of gambling, 3 instances of delaying or hindering an employee in the performance of their duties, possession of a communication device, stealing, possession of stolen property, fighting, damaging state property, and possession of unauthorized drugs.¹²³⁴

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Holmes on February 4, 2020 at Baskerville Correctional Center.¹²³⁵ Holmes stated that he was remorseful for victimizing people by robbing them with a gun and putting them in fear of their lives.¹²³⁶ Holmes told the examiner that he had spoken to several of the victims that he robbed, and one McDonalds employee told Holmes that she forgave him a long time ago.¹²³⁷ Holmes admitted to all the crimes he was convicted of.¹²³⁸ Holmes told the examiner that if he was granted parole, he would use the skills he had developed to live a crime-free and positive life.¹²³⁹ The examiner noted that Holmes' COMPAS recidivism assessment listed scores of medium risk for violent recidivism and general recidivism.¹²⁴⁰ However, the examiner recommended releasing Holmes.¹²⁴¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

Holmes was correctly deemed ineligible for discretionary parole by VADOC under Va. Code § 53.1-151(B1). However, in July 2018, Chair Adrienne Bennett recommended otherwise:

Adrienne Bennett	07/06/2018	Parole Board Note	Three Strikes/Parole Eligibility Review: Robbery Spree consisting of three separate robberies with companion firearm convictions on 5/1/1994 (Virginia Beach), 5/13/1994 (Norfolk) and 5/25/1995 (Virginia Beach). No prior or subsequent convictions of predicate offenses. Not at liberty between offenses. RECOMMENDATION: Restore Parole Eligibility.
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Three Strikes/Parole Eligibility Review: Robbery Spree consisting of three separate robberies with companion firearm convictions on 5/1/1994 (Virginia Beach), 5/13/1994 (Norfolk) and 5/25/1995 (Virginia Beach). No prior or subsequent convictions of predicate offenses. Not at liberty between offenses. RECOMMENDATION: Restore Parole Eligibility.¹²⁴²

Holmes was subsequently restored to discretionary parole eligibility under Va. Code § 53.1-151(B1) by a letter signed by Chair Bennett. For the reasons more fully specified in Section V of this report, the restoration of Holmes' parole eligibility under § 53.1-151(B1) was unlawful.

VPB received 3 support letters and took 1 meeting with Holmes' supporters in 2019.¹²⁴³

On February 24, 2020, VPB member A. Lincoln James voted against releasing Holmes, citing the following reasons: "Release at this time would diminish seriousness of crime; Serious nature and circumstances of your offense(s)."¹²⁴⁴ On March 5, 2020, member Linda Bryant voted to release Holmes.¹²⁴⁵ On March 11, 2020, member Kemba Pradia voted to release Holmes.¹²⁴⁶

On March 13, 2020, Victim Input Coordinator Lisa Bowen placed a note in Holmes' CORIS file stating "VICTIM RESEARCH - There are no registered victims in VINE. I have sent information regarding the May 1994 robberies to Virginia Beach V/W. There is no PSI regarding the Norfolk robbery."¹²⁴⁷

On March 22, 2020, Chair Adrienne Bennett cast the final necessary vote to grant Holmes parole.¹²⁴⁸ VPB records list the "Decision Date" in Holmes' case as "03/22/2020."¹²⁴⁹ Chair Bennett placed a note in Holmes' file on March 31, 2020 stating "Ready to certify,"¹²⁵⁰ and VPB certified its decision to grant Holmes discretionary parole the same day.¹²⁵¹ Thereafter on March 31, 2020, Victim Input Coordinator Bowen placed a note in Holmes' file stating "VICTIM RESEARCH COMPLETE - No response from Virginia Beach V/W. No further research necessary. Ready to certify." VPB employee Crystal Noakes placed a note in Holmes' file on April 6, 2020 stating "Victim not notified of pending release on 4.22.20, due to not locating victim."¹²⁵²

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk, Augusta, and Virginia Beach Commonwealth's Attorneys' Offices on April 3, 2020; those offices received the notifications on April 10, 2020.¹²⁵³ Holmes was released from Baskerville Correctional Center on April 22, 2020.¹²⁵⁴

F. Violations of Law

VPB's decision to grant Henry Holmes discretionary parole violated Va. Code § 53.1-155(B). VPB's victim contact efforts did not begin until two of three necessary VPB members had voted to grant him discretionary parole. We subsequently received address and contact information from the Virginia Beach Commonwealth's Attorney's Office for eleven of Holmes' victims.

VPB's decision to grant Henry Holmes discretionary parole constituted three violations of Va. Code § 53.1-136(3)(c), because VPB failed to notify the Augusta, Norfolk, and Virginia Beach Commonwealth's Attorneys' Offices at least 21 business days prior to Holmes' release.

Release of Horace Burnette

A. Sentencing Information

On February 26, 1990 in Nelson County, 18-year-old Horace Burnette committed arson of an occupied dwelling.¹²⁵⁵ On March 1, 1990, also in Nelson County, Burnette committed two counts of first-degree murder.¹²⁵⁶ Burnette pled guilty, and on May 4, 1992, he was sentenced in Nelson Circuit Court to a total active term of life in prison plus thirty years for the arson and two counts of murder.¹²⁵⁷

B. Facts of Parole-Eligible Offenses

On February 26, 1990, Burnette set fire to the home of sisters [REDACTED] and [REDACTED] after being hired by one of the women's relatives, Virgil Fox Jr., to kill the women to collect life insurance and inheritance money.¹²⁵⁸ The victims awoke to find their house on fire that morning and called for assistance.¹²⁵⁹ The fire did not do extensive damage, and despite the appearance of arson, the women returned to their home.¹²⁶⁰

Three days later, on March 1, 1990, Burnette and his codefendant Virgil Fox III returned to the home of [REDACTED] and [REDACTED].¹²⁶¹ The [REDACTED] sisters were beaten in their heads with lead pipes, and Burnette's codefendant, Virgil Fox III then set a fire using gasoline.¹²⁶² A passing motorist saw the fire and called the fire department.¹²⁶³ The charred remains of the victims were found inside.¹²⁶⁴ An autopsy revealed that the women sustained head injuries and smoke inhalation but were still alive prior to their bodies being burned.¹²⁶⁵

C. Prior Criminal History and Institutional Discipline

Burnette's prior criminal history included convictions for assault and other traffic offenses.¹²⁶⁶ During his incarceration, Burnette committed 58 institutional infractions, including instances of possession of contraband in 2017 and 2018.¹²⁶⁷ Burnette's institutional disciplinary record included 13 total convictions for possession of contraband, six counts of possession or use of drugs or intoxicants, four counts of destruction of property, two separate counts of possession of a weapon, two counts of fighting, assault, and setting a fire.¹²⁶⁸

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Burnette on February 11, 2020 at Augusta Correctional Center.¹²⁶⁹ Burnette claimed that he did not know how to say "no" to his codefendants, and that he never really thought "they" would go through with the plan to kill the victims.¹²⁷⁰ Burnette stated that "I see it was the stupidest, most irresponsible, idiotic move of my life."¹²⁷¹ The examiner recommended that Burnette be released.¹²⁷²

E. Parole Board Deliberations and Victim and Prosecutor Contact

On February 28, 2020, VPB members A. Lincoln James and Linda Bryant voted against granting Burnette discretionary parole.¹²⁷³ Member Kemba Pradia voted to grant Burnette parole on March 23, 2020.¹²⁷⁴ Chair Adrienne Bennett voted to grant Burnette parole on March 24, 2020.¹²⁷⁵ Member Sherman Lea voted to grant Burnette parole on March 27, 2020.¹²⁷⁶ On March

29, 2020, member Linda Bryant changed her vote and cast the final necessary vote to grant Burnette parole.¹²⁷⁷ VPB records list the “Decision Date” in Burnette’s case as “03/29/2020.”¹²⁷⁸

On March 31, 2020, Chair Adrienne Bennett placed duplicate notes in CORIS stating “Ready to certify,” and VPB certified its decision to grant Burnette discretionary parole the same day.¹²⁷⁹ VPB documented no efforts to contact victims’ family members at that time.¹²⁸⁰

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Nelson Commonwealth’s Attorney’s Office on April 3, 2020; that office received the notification, but the return receipt was undated.¹²⁸¹ Burnette was released from Augusta Correctional Center on April 23, 2020.¹²⁸²

On May 7, 2020, a reporter with the Nelson County Times emailed VPB Chair Tonya Chapman requesting information about the victim contact in Burnette’s case.¹²⁸³ Chapman emailed Victim Input Coordinator Lisa Bowen on May 8, 2020 at 10:37 a.m., asking “Can you advise what type of victim research was conducted? Thanks.”¹²⁸⁴ Bowen replied an hour later:

From: [Chapman, Tonya \(VPB VFE\)](#)
To: [Bowen, Lisa \(VPB VFE\)](#)
Subject: Re: Media request
Date: Friday, May 8, 2020 11:52:59 AM

Thanks Lisa. Are you making a note on the victim research that was conducted? if so, thanks.

On Fri, May 8, 2020 at 11:39 AM Bowen, Lisa <lisa.bowen@vpb.virginia.gov> wrote:

Hello Tonya:

This was one of the offenders in the batch that Adrienne wanted done quickly. There are no registered victims in VINE. The co-defendant Virgil Fox, III DOC Inmate #1040252 had victim research done and Trudy provided several phone numbers that were not in service (see my note 12/27/2017). The only person we could find was a brother of this offender [REDACTED] (who was also a family member of the victims) but his phone numbers were not in service. This was a situation where the offenders and victims are family members. The CA office was not contacted for help with victim research. I will place a note in CORIS.

Lisa

Bowen subsequently placed the following note in CORIS following Chapman’s inquiry; this was the first entry regarding victim research or contact that appeared in Burnette’s file:

VICTIM RESEARCH - No registered victims in VINE. The co-defendant Virgil Fox, III Inmate 1040252 had victim research done. Investigator Harris provided several phone numbers that were not in service (Lisa Bowen note in CORIS 12/27/2017). The only person we could find that was a relative was the brother of the offender [REDACTED] (who was also a family member of the victims) but his phone numbers were not in service. This is a situation where the offenders and the victims are family. The CA office was not contacted for help with victim research.¹²⁸⁵

F. Adjustment to Parole Supervision

Burnette initially adjusted well to parole supervision in the community. However, in October 2021, Burnette began testing positive for amphetamines and opiates. The parole office unsuccessfully attempted to address Burnette's substance abuse multiple times. An initial parole violation was withdrawn in mid-2022 to monitor Burnette's treatment, but after continued drug use, his parole was revoked. Burnette remains in custody at the time of this report.

G. Violations of Law

VPB's decision to grant Horace Burnette discretionary parole violated Va. Code § 53.1-155(B). VPB's victim contact efforts did not begin until four members had cast the necessary votes to grant him discretionary parole, and it relied on outdated information.

VPB's actions in Burnette's case also violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Nelson County Commonwealth's Attorney's Office at least 21 business days prior to Burnette's release.

Release of Irvian Cotton

A. Sentencing Information

Irvian Cotton was convicted of first-degree murder and use of a firearm in the commission of a felony in Suffolk Circuit Court in 1986 and sentenced to life in prison plus 2 years.¹²⁸⁶

B. Facts of Geriatric Conditional Release-Eligible Offenses

On December 17, 1985, Irvian Cotton drove to the home of his estranged wife's parents, where she had been living for two weeks since separating from Cotton.¹²⁸⁷ The victim came outside and asked Cotton why he was there.¹²⁸⁸ She then went back into the house.¹²⁸⁹ Cotton followed her inside, pulled out a gun, and fired one shot, hitting the victim's mother, who ran outside to call police.¹²⁹⁰ The victim's father then came out of the kitchen, and Cotton pointed the gun at him.¹²⁹¹ The victim then ran to a bedroom and closed the door.¹²⁹² Cotton fired another shot and hit the door, causing shrapnel to hit the victim's leg.¹²⁹³ The victim and her sister held the door shut, but Cotton overpowered them and forced his way through the door.¹²⁹⁴ Cotton then shot the victim three times at point-blank range in front of her 4-year-old and 8-year-old children, killing her.¹²⁹⁵

Cotton was on bond for a charge of domestic assault & battery against the victim at the time of the offense; the domestic assault and battery occurred the night before the victim moved in with her parents.¹²⁹⁶ Cotton had slapped the victim and threatened her with a knife.¹²⁹⁷ Cotton also previously committed malicious wounding against the victim in 1984, receiving the benefit of having that charge *nolle prossed* after completing a spousal abuse program.¹²⁹⁸

C. Prior Criminal History and Institutional Discipline

Cotton's full criminal history is described above. Cotton committed two institutional infractions while incarcerated.¹²⁹⁹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Cotton on October 21, 2019 at Greensville Correctional Center.¹³⁰⁰ This was not a current interview for Cotton; it pertained to Cotton's January 2020 parole

consideration, which resulted in Cotton being denied discretionary parole. Describing his offense, Cotton stated that one thing led to another, the situation got out of hand, and “she was killed.”¹³⁰¹ The examiner had to ask Cotton who “she” was, because Cotton had not stated who he was talking about.¹³⁰² Cotton said he was talking about his wife that he killed.¹³⁰³

Cotton told the examiner that he understood and deeply regretted his crimes.¹³⁰⁴ Cotton planned to get a job and go to college once released.¹³⁰⁵ Cotton stated that one moment of indecisiveness caused him a lifetime of repercussions.¹³⁰⁶ Cotton told the examiner that he should be released because he had changed his whole outlook, he had matured, and had learned how to handle problems better.¹³⁰⁷ The examiner recommended against releasing Cotton:

As stated last year, while the subject does not have much of a criminal history or a poor adjustment, what is concerning is that this was not an argument that “got out of hand” as he reported. The subject for lack of better terms, hunted his wife down at her parents’ home after she left him and gunned her down while their children watched. He has multiple other offenses of domestic abuse against her prior to this. He had been diagnosed with [REDACTED]. If he starts drinking again, it appears that he might still be a danger to his present wife. He expressed no remorse for his victim or his children other than to say he was sorry. Parole is not recommended at this time.¹³⁰⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB members took ten in-person meetings with Cotton’s supporters and received 4 support letters between 2003 and 2019.¹³⁰⁹ VPB noted the following victim input in 2009:

[REDACTED], daughter of the homicide victim in this case, writes in opposition to parole of this offender. She says that the offender killed her mother in front of her and that the offender’s son and his in-laws (her grandparents) were in the house as well. She says that he can never justify the murder of her mother and that the time he has already spent in prison is not even close to being enough time for this murder.

Cotton had recently received his annual parole consideration in January 2020.¹³¹⁰ On December 13, 2019, VPB member Sherman Lea voted against releasing Cotton.¹³¹¹ On December 15, 2020, member Linda Bryant voted against releasing Cotton.¹³¹² On January 15, 2020, member Sherman Lea cast the final necessary vote to deny Cotton’s release.¹³¹³ VPB certified its decision to deny Cotton discretionary parole on January 16, 2020, listing the following reasons for denial: “Crimes committed – Homicide 1st Degree; Weapon Offense; The Board concludes that you should serve more of your sentence prior to release on parole.”¹³¹⁴

On March 22, 2020, Chair Adrienne Bennett sent Victim Input Coordinator Lisa Bowen the following email:

From: [Bennett, Adrienne \(VPB VFE\)](#)
To: [Bowen, Lisa \(VPB VFE\)](#)
Subject: Cotton, Irvian1074663
Date: Sunday, March 22, 2020 6:53:26 PM

Hi Joe -

Can you look at this one. He was recently denied parole. He is old and has been in prison over 30 years. I had planned to grant him before I left the Board. His daughter (and victim's daughter) [REDACTED] provided input in 2009 and it looks like the victim's mom is continuing to receive VINE notification.

All I can see is [REDACTED] (victim's mom) registered. Will you check to see if anyone else is registered and let me know? Only registered victims should receive notice - I do not think we need to poke anybody else - what do you think?

I would like to get him in my queue and get him voted before I am gone. He will be considered for geriatric so he will not be interviewed and a decision will come quick if he makes it.

On March 23, 2020, Victim Input Coordinator Lisa Bowen placed the following note in Cotton's CORIS file:

VICTIM RESEARCH COMPLETE - Murder victim's mother [REDACTED] is registered in VINE. Her information is current according to the database. The victim's daughter is also registered in VINE. Last opposition input provided in November 2009. No further research is necessary. Ready to certify.¹³¹⁵

On March 29, 2020, Chair Bennett sent VPB employees an email instructing them to put Cotton's case back in her queue. Bennett also instructed the employees not to have Cotton re-interviewed, and to use an outdated parole examiner's report:

From: [Bennett, Adrienne \(VPB VFE\)](#)
To: [Schlagel, Tracy \(VPB\)](#); [Hall, Laura H. \(VPB\)](#); [Bowen, Lisa \(VPB VFE\)](#)
Subject: 1074663 Irvian Cotton
Date: Sunday, March 29, 2020 10:00:02 PM

Hi - Please put this offender in my queue for geriatric release.

Lisa - Can you get a letter mailed out of the registered victim? He has been discretionary eligible for a long time. He will not be interviewed - we will use his most recent PE Report.

Thank you!

Adrienne L. Bennett

A CORIS victim contact log shows that VPB never mailed Cotton's registered victim a contact letter. Cotton's victim's mother received a notification on February 5, 2020 indicating that Cotton had been denied parole, and the victim contact log shows no subsequent contact to indicate to the victim's mother that Cotton was being considered for release again:

Contact Date	Staff	Offender Name	Contact Reason	Contact Method	Comments
04/23/2020	Smith, Shirley	Cotton, Irvin (1074663)	Parole Board Contact	Letter	4/21/2020 - Grant
04/20/2020	Sattie, Emily T	Cotton, Irvin (1074663)	Release	Letter	Release notification
02/05/2020	Noakes, Crystal	Cotton, Irvin (1074663)	Parole Board Contact	Letter	NG
09/23/2019	Noakes, Crystal	Cotton, Irvin (1074663)	Parole Board Contact	Letter	interview scheduled for 10.21.19

On March 30, 2020, Chair Adrienne Bennett voted to grant Cotton geriatric conditional release.¹³¹⁶ The next day, VPB members Linda Bryant, Kemba Pradia, and Sherman Lea cast the three remaining necessary votes to grant Cotton geriatric conditional release.¹³¹⁷ VPB records list the "Decision Date" and "Certification Date" in Cotton's case as "03/31/2020."¹³¹⁸ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Suffolk Commonwealth's Attorney's Office on April 3, 2020; the notification was received on April 10, 2020.¹³¹⁹ Cotton was released from Greensville Correctional Center on April 20, 2020.¹³²⁰

F. Violations of Law

No violations found.

Release of Jalen Williams

A. Sentencing Information

On August 7, 2016 in Chesapeake, 18-year-old Jalen Williams committed two counts of armed robbery and one count of brandishing a firearm.¹³²¹ On September 27, 2018, Williams was sentenced in Chesapeake Circuit Court to 10 years suspended on each robbery conviction and 12 months in jail on the firearm conviction, conditioned on completion of the youthful offender program and a maximum commitment of 4 years to the Department of Corrections.¹³²²

B. Facts of Parole-Eligible Offenses

Jalen Williams picked Kevin Maxwell up from the movies on August 7, 2016 in Chesapeake.¹³²³ Maxwell did not have any money, so he decided to rob the Papa John's Pizza located at 359 Battlefield Boulevard.¹³²⁴ Maxwell had previously worked at a Papa John's, so he knew their procedures.¹³²⁵

Maxwell discussed his plan with Williams.¹³²⁶ Williams drove Maxwell to Williams' home to retrieve two BB guns that looked like pistols.¹³²⁷ Williams then drove Maxwell to the Papa John's on Battlefield Boulevard.¹³²⁸ Williams remained in the car while Maxwell went inside.¹³²⁹

██████████ and ██████████ were working at the Papa John's.¹³³⁰ At approximately 12:30 am, ██████████ and ██████████ were standing outside the back door when Maxwell approached them and forced them inside at gunpoint.¹³³¹ Maxwell was wearing a black hoodie and black pants.¹³³² The hoodie was pulled up and tied around his face so only his eyes were visible.¹³³³

Maxwell demanded that ██████████ and ██████████ take him to the safe, but it was empty.¹³³⁴

Maxwell then demanded to be taken to the money that was located in a container.¹³³⁵ The money was folded and banded in a particular manner to indicate how much money was in each band, and Maxwell grabbed it.¹³³⁶ Maxwell then ran toward the neighborhood behind the store, dropping some of the money while leaving.¹³³⁷ Maxwell got into the waiting vehicle that was driven by Williams, removing his hoodie and black pants and placing the clothing, gun, and money into the bags in the vehicle.¹³³⁸

A Chesapeake police officer located a vehicle in the neighborhood behind the Papa John's and approached the vehicle.¹³³⁹ Williams was in the driver's seat and Maxwell was in the passenger seat.¹³⁴⁰ Williams stated they were coming from the movie theater in Greenbrier and headed home.¹³⁴¹ Williams claimed he got lost and was turning around.¹³⁴² Williams also said that he had dropped Maxwell off to buy marijuana, picked Maxwell up in the neighborhood, and didn't know anything about the robbery.¹³⁴³

A different Chesapeake K9 officer conducted a K9 track from the Papa John's that led him to the vehicle containing Williams and Maxwell.¹³⁴⁴ The police dog alerted on Williams' vehicle, and it was searched.¹³⁴⁵ During the search, police discovered a black drawstring bag containing a black hoodie, black pants, and money in banded folds.¹³⁴⁶ Police also found a yellow bag containing two black guns and marijuana.¹³⁴⁷ Maxwell claimed ownership of both bags.¹³⁴⁸ █████ confirmed that the money, totaling \$608.00, was folded and banded consistently with the method used by Papa John's.¹³⁴⁹ During a subsequent interview with police, Maxwell confirmed Williams' role in the robbery and admitted that the two planned to rob the Papa John's.¹³⁵⁰

C. Prior Criminal History and Institutional Discipline

Williams had no prior juvenile or adult criminal history before his robbery offenses, and he had no institutional infractions while incarcerated.¹³⁵¹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Williams on January 9, 2020 at Indian Creek Correctional Center.¹³⁵² The examiner noted that Williams' COMPAS recidivism assessment showed that Williams posed a medium risk for violent recidivism.¹³⁵³

Williams expressed remorse for participating in the robbery and derailing his future plans.¹³⁵⁴ Williams was positively recommended by staff at Indian Creek Correctional Center and had complied with all institutional rules.¹³⁵⁵ The examiner recommended releasing Williams.¹³⁵⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

In April 2019, VPB member A. Lincoln James held a meeting with Williams' supporters.¹³⁵⁷ Two other supporters contacted VPB on Williams' behalf in 2020.¹³⁵⁸

Victim Input Coordinator Lisa Bowen placed a note in Williams' CORIS file on January 15, 2020 noting that there were no registered victims in the VINE system, but after contacting Chesapeake Sheriff's Office Victim/Witness personnel, she was able to obtain and leave voicemail messages on current phone numbers for the two robbery victims.¹³⁵⁹ Bowen placed a note in CORIS on January 27, 2020 indicating that there had been no response from the victims.¹³⁶⁰

On February 4, 2020, member Linda Bryant voted to grant Williams discretionary parole.¹³⁶¹ The next day, Chair Adrienne Bennett voted to grant Williams parole.¹³⁶² On February

21, 2020, member A. Lincoln James cast the final necessary vote to grant Williams parole.¹³⁶³ VPB records list the “Decision Date” in Williams’ case as “02/21/2020.”¹³⁶⁴

On March 17, 2020, Victim Input Coordinator Bowen placed a note in CORIS stating “VICTIM RESEARCH COMPLETE - No response from victims. No further research necessary. Ready to certify.”¹³⁶⁵ On March 29, 2020, Chair Adrienne Bennett placed a note stating “Ready to Certify,” and VPB certified its decision to grant Williams parole on March 30, 2020.¹³⁶⁶

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Chesapeake Commonwealth’s Attorney’s Office on March 31, 2020; that office received the notification, but the return receipt was undated.¹³⁶⁷ Williams was released from Indian Creek Correctional Center on April 3, 2020.¹³⁶⁸

F. Violations of Law

VPB’s decision to release Jalen Williams on discretionary parole violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Chesapeake Commonwealth’s Attorney’s Office at least 21 business days prior to Williams’ release.

Release of James Jones

A. Sentencing Information

James Jones was originally sentenced in Danville Circuit Court on November 30, 1971 for grand larceny and unauthorized use of a vehicle; his total sentence was thirteen years with five suspended.¹³⁶⁹ Jones was released on parole in 1974, and on October 24, 1975, he was convicted in Southampton Circuit Court of two counts of robbery and sentenced to ten years on each count, to run concurrently.¹³⁷⁰ Jones was further convicted under a recidivist statute in Richmond Circuit Court on June 8, 1977 and sentenced to one year.¹³⁷¹ Jones was again released to parole supervision in October 1980; however, in Danville Circuit Court on January 14, 1982, Jones was convicted of attempted burglary and sentenced to twelve months.¹³⁷² Jones was further convicted of burglary and grand larceny on March 15, 1982 in Danville Circuit Court and sentenced to twelve months on each count, to run concurrently.¹³⁷³ Jones was sentenced to ten years in Southampton Circuit Court on June 17, 1982 for probation violations on his 1975 robberies.¹³⁷⁴

Jones was again released on parole on January 18, 1985; he committed grand larceny in June 1985, and robbery and grand larceny in November 1985, resulting in 5-year and 50-year sentences, respectively, in Danville Circuit Court on January 9, 1986.¹³⁷⁵ Jones was again released on discretionary parole on March 5, 2007.¹³⁷⁶ On April 27, 2010, Jones committed destruction of property in Danville, and on August 27, 2010, Jones committed burglary and grand larceny, also in Danville.¹³⁷⁷ Jones was sentenced to eight years in Danville Circuit Court in 2011; his parole was revoked for the fourth time.¹³⁷⁸

B. Facts of Parole-Eligible Offenses

On March 18, 1971, Jones got off work, went to visit a friend, and consumed alcohol.¹³⁷⁹ When Jones left his friend’s house, he saw a 1961 white Chevrolet that was unoccupied and turned on. Jones stole the car and drove to the local bus station.¹³⁸⁰ A neighbor saw Jones drive off in the car, and Jones was arrested shortly thereafter.¹³⁸¹

On August 22, 1971, Jones saw a vehicle on the street in Danville with three vacuum

cleaners in the back seat.¹³⁸² Jones took a knife and cut through the rubber between the front and rear windows. He opened the lock and stole the 3 vacuum cleaners.¹³⁸³

On March 25, 1975, Jones robbed three victims at a variety store in Southampton County.¹³⁸⁴ Jones' codefendant entered the store under the pretense of making a purchase.¹³⁸⁵ Jones then entered the store with a rifle, announced it was a holdup, and ordered two customers and the store owner to get in front of him.¹³⁸⁶ The codefendant collected approximately \$225 from the three victims while Jones held them at gunpoint.¹³⁸⁷

On October 22, 1985, Jones broke into the Holy Tabernacle of Jesus Christ Church in Danville.¹³⁸⁸ He stole several items including sound equipment valued at \$1,699. Jones later pawned some of the items, leading to his arrest.¹³⁸⁹ Jones admitted to police that he pawned the items but falsely claimed he found them in some bushes.¹³⁹⁰

On November 14, 1985, Jones robbed a woman of a tan leather pocketbook and US currency in a Food Lion parking lot in Danville.¹³⁹¹ Later the same day, Jones stole \$1,136 from the Travelers Service Station in Danville by taking the cash drawer and running out of the store while the attendant was in the bathroom.¹³⁹²

In August 2010, Jones threw a rock through the window of a dentist's office in Danville, leaving behind bloodstains that led to his identification as the perpetrator.¹³⁹³ While inside, Jones stole \$330 in cash.¹³⁹⁴ Jones admitted to being drunk and damaging property but denied entering the business or stealing anything.¹³⁹⁵

C. Prior Criminal History

In 1962, Jones was adjudicated delinquent of trespassing and completed probation.¹³⁹⁶ In 1966, Jones received a suspended commitment to a juvenile facility for throwing a rock at a police car.¹³⁹⁷ As an adult, Jones was convicted of contributing to the delinquency of a minor and breaking and entering in 1969.¹³⁹⁸ He was convicted of escaping from jail in 1970.¹³⁹⁹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Jones, then 69 years old, on October 2, 2019 at Green Rock Correctional Center.¹⁴⁰⁰ The examiner noted that Jones' most recent COMPAS recidivism assessment showed a general recidivism risk of "medium."¹⁴⁰¹ The examiner recommended against releasing Jones.¹⁴⁰²

E. Parole Board Deliberations and Victim and Prosecutor Contact

In two different notes on December 5, 2006, VPB employee Brenda Marriott noted the names and addresses of two of Jones' victims.¹⁴⁰³ VPB files show no subsequent attempts to contact any of Jones' multiple other victims.¹⁴⁰⁴

On October 11, 2019, VPB member Kemba Pradia voted to grant Jones discretionary parole.¹⁴⁰⁵ On November 6, 2019, member Sherman Lea voted against granting Jones parole.¹⁴⁰⁶ On November 25, 2019, member A. Lincoln James voted against granting Jones parole.¹⁴⁰⁷ On January 14, 2020, Chair Adrienne Bennett voted to grant Jones parole; member Linda Bryant cast the final necessary vote to grant Jones parole on February 26, 2020.¹⁴⁰⁸ VPB records list the "Decision Date" in Jones' case as "02/26/2020."¹⁴⁰⁹

On March 29, 2020, Chair Adrienne Bennett input a note reading "Parole Violator – not

(sic) victim research necessary.”¹⁴¹⁰ The same day, Chair Bennett also input a note stating “Ready to Certify.”¹⁴¹¹ VPB certified its decision to grant Jones parole on March 30, 2020.¹⁴¹² VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond Commonwealth’s Attorney’s Office on April 10, 2020; return receipt indicated that the Richmond Commonwealth’s Attorney’s Office received the notification on April 15, 2020.¹⁴¹³ Jones was released from Green Rock Correctional Center on April 15, 2020.¹⁴¹⁴

F. Violations of Law

VPB’s decision to grant James Jones parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the victims of any of Jones’ ten parole-eligible felony offenses.¹⁴¹⁵

VPB additionally violated Va. Code § 53.1-136(3)(c) by failing to notify the Richmond Commonwealth’s Attorney of its decision to grant Jones parole at least 21 business days prior to Jones’s release.

Release of James Mitchell

A. Sentencing Information

James Mitchell was convicted of robbery and attempted robbery in Hampton in 1984.¹⁴¹⁶ He was sentenced to 30 years with 26 suspended.¹⁴¹⁷ Mitchell was convicted of burglary and grand larceny in Newport News in 1987, receiving a 5-year sentence.¹⁴¹⁸ While incarcerated at the Southampton Correctional Center in 1988, Mitchell was convicted of robbery, maiming, two counts of abduction, possession of a weapon, destruction of property, and assault and battery for participating in a prison riot. Mitchell received an additional sentence of 55 years and 24 months.¹⁴¹⁹ At a different prison in Smyth County in 1991, Mitchell was convicted of unlawful injury of a correctional officer, receiving an additional 2-year sentence.¹⁴²⁰ Mitchell’s total sentence was 78 years and 24 months.¹⁴²¹

B. Facts of Parole-Eligible Offenses

On December 16, 1986 in Newport News, a witness observed multiple men removing items from an apartment, and the witness called police.¹⁴²² Police arrived, and the witness pointed out the men who were removing the items from the apartment, including televisions, video cassette recorders, and a stereo.¹⁴²³ Police located and arrested Mitchell and a codefendant after a brief search and pursuit.¹⁴²⁴ Mitchell was on parole for robbery at the time of the burglary.¹⁴²⁵

On April 4, 1988, Mitchell and three other inmates of the Southampton Correctional Center rushed a security office, assaulting two officers and spraying them with mace.¹⁴²⁶ Mitchell and the three inmates then took the officers as hostages.¹⁴²⁷ Prison officials began hostage negotiations by telephone.¹⁴²⁸ One officer was unharmed but handcuffed and tied to a chair.¹⁴²⁹ The other officer, a lieutenant, was injured, but not critically.¹⁴³⁰ By telephone and in writing, Mitchell and the other inmates demanded that they be transferred to another prison and be given a phone call to their families.¹⁴³¹ The warden granted the inmates’ request, and Mitchell and the other inmates began making phone calls to their families.¹⁴³² After making multiple other calls, Mitchell and the inmates decided that they wanted to leave immediately.¹⁴³³ Prison officials provided a van, and the inmates were secured back into custody.¹⁴³⁴ Mitchell and the inmates caused approximately \$5,000 of damage to the security office, and the lieutenant who was taken hostage was treated at a local

hospital for multiple lacerations and bruises.¹⁴³⁵

C. Prior Criminal History and Institutional Discipline

Mitchell has prior convictions for attempted petit larceny, trespassing, concealment of merchandise, assault, unlawfully possessing a concealed weapon, unauthorized use of a vehicle, and assault and battery.¹⁴³⁶

Mitchell committed 65 institutional infractions while incarcerated. These included seizing/holding hostages, inciting a riot (separate incident in 1990), 13 assaults, 8 instances of setting a fire, 8 instances of property damage, 5 instances of fighting, 3 instances of possession of contraband, 2 instances of possession of a weapon, and 2 instances of threatening bodily harm.¹⁴³⁷

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Mitchell on January 21, 2020 at Lunenburg Correctional Center.¹⁴³⁸ Mitchell told the examiner that he had made a lot of mistakes in his life, especially when younger, but he had made efforts to improve himself and hoped his adjustment reflected his maturity and positive development.¹⁴³⁹ Mitchell stated that he had remorse for the crimes he committed.¹⁴⁴⁰ The examiner recommended that Mitchell be released.¹⁴⁴¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted 7 contacts from Mitchell's supporters between 2016 and 2020; VPB also took a meeting with supporters in 2019.¹⁴⁴² VPB records contain no information about victim research or contact until April 2020.

On February 14, 2020, VPB member A. Lincoln James voted against granting Mitchell discretionary parole, citing the reasons "Release at this time would diminish seriousness of crime; Serious nature and circumstances of your offense(s)."¹⁴⁴³ On February 27, 2020, Chair Adrienne Bennett voted to grant Mitchell parole.¹⁴⁴⁴ On March 2, 2020, member Linda Bryant voted to release Mitchell.¹⁴⁴⁵ On March 23, 2020, member Sherman Lea cast the final necessary vote to release Mitchell.¹⁴⁴⁶ VPB records list the "Decision Date" in Mitchell's case as "03/23/2020."¹⁴⁴⁷ On March 31, 2020, Chair Adrienne Bennett placed a note stating "Ready to certify,"¹⁴⁴⁸ and VPB certified its decision to grant Mitchell discretionary parole the same day.¹⁴⁴⁹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Smyth, Newport News, Hampton, and Southampton Commonwealth's Attorney's Offices on April 3, 2020; the Smyth office received the notification on April 10, 2020, and the remainder of the notifications were received but undated.¹⁴⁵⁰ Mitchell was released from Lunenburg Correctional Center on April 22, 2020.¹⁴⁵¹

On April 10, 2020, Victim Input Coordinator Lisa Bowen placed a note in Mitchell's CORIS file stating "VICTIM NOTIFICATION - Two anonymous phone numbers and one email registered in VINE. One phone number has full mailbox, left VM for other phone number. Sent email notification of offender's upcoming release on 04/22/2020."¹⁴⁵²

F. Violations of Law

VPB's decision to grant James Mitchell discretionary parole violated Va. Code § 53.1-155(B), because VPB did not "endeavor diligently" to contact Mitchell's multiple victims until VPB cast all the necessary votes to release Mitchell.

VPB's decision to release James Mitchell on discretionary parole also resulted in four

violations of Va. Code § 53.1-136(3)(c) for failing to notify the four necessary Commonwealth's Attorneys' offices at least 21 business days prior to Mitchell's release.

Release of James Perkins

A. Sentencing Information

James Perkins was convicted of robbery, use of a firearm in the commission of a felony, 4 counts of forgery, 3 counts of uttering a forgery, and escaping from custody in Charlottesville and Albemarle in 1978.¹⁴⁵³ His active sentence was 17 years.¹⁴⁵⁴ In 1982, Perkins was convicted of 2 burglaries and grand larceny in Albemarle, receiving an 8-year sentence.¹⁴⁵⁵

In 1999, 40-year-old Perkins was convicted of forgery, 2 counts of uttering a forgery, and obtaining money by false pretenses in Nelson Circuit Court.¹⁴⁵⁶ He was sentenced to 20 years in prison with 17 suspended.¹⁴⁵⁷ In 2000, Perkins was convicted of 2 robberies, 2 burglaries, malicious wounding, and abduction with intent to extort money in Albemarle.¹⁴⁵⁸ He was sentenced to 150 years in prison with 121 suspended, for a total active sentence of 29 years.¹⁴⁵⁹ Perkins' total active sentence, including prior unserved sentences, was 31 years and 18 months.¹⁴⁶⁰

B. Facts of Geriatric Conditional Release-Eligible Offenses

On June 5, 1999, at approximately 7:00 p.m., Perkins abducted a woman he knew at knifepoint, cutting her hand during a struggle for the weapon.¹⁴⁶¹ Perkins forced the victim into the trunk of his car and drove around with her in the trunk.¹⁴⁶² Perkins took the victim to her workplace and forced her to take over \$200 from various cash boxes.¹⁴⁶³ Perkins also forced the victim to write him a personal check and give up her money.¹⁴⁶⁴ Perkins also took the victim to a Food Lion store, where he forced her to give him \$180, threatening to kill the victim and her grandchildren if she did not comply.¹⁴⁶⁵ Perkins later stated that he could not remember any of the events, as he was high on drugs and alcohol.¹⁴⁶⁶

C. Prior Criminal History and Institutional Discipline

Perkins has additional convictions for a probation violation, assault and battery, larceny, trespassing, contempt of court, and criminal traffic offenses.¹⁴⁶⁷ Perkins committed four institutional infractions while incarcerated.¹⁴⁶⁸

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Perkins on March 5, 2020 at Deerfield Correctional Center. The examiner noted that Perkins' most recent COMPAS risk assessment listed a high risk of general recidivism and a high risk of violent recidivism.¹⁴⁶⁹ Perkins told the examiner that he pled guilty to all of his charges, and that he had committed the crimes to get money to get high.¹⁴⁷⁰ Perkins stated that he had been remorseful from day one, and that he wished he could take it all back.¹⁴⁷¹ He told the examiner that he was a totally different person from when he came to prison, and that he had a different way of looking at situations and handling them now.¹⁴⁷² The examiner recommended that Perkins be released.¹⁴⁷³

E. Parole Board Deliberations and Victim and Prosecutor Contact

In January 2019, Victim Input Coordinator Lisa Bowen noted that research had discovered that Perkins' 1999 abduction victim was deceased.¹⁴⁷⁴ VPB noted one letter from a supporter of Perkins' in April 2019.¹⁴⁷⁵ On March 20, 2020, Chair Adrienne Bennett voted to grant Perkins

geriatric conditional release.¹⁴⁷⁶ On March 27, 2020, VPB member Kemba Pradia voted to release Perkins.¹⁴⁷⁷ On March 28, 2020, member Sherman Lea cast the final necessary vote to release Perkins.¹⁴⁷⁸ VPB records list the “Decision Date” in Perkins’ case as “03/28/2020.”¹⁴⁷⁹

On March 31, 2020, Chair Bennett placed two identical notes in Perkins’ file stating “Ready to certify.”¹⁴⁸⁰ VPB certified its decision to grant Perkins geriatric conditional release the same day.¹⁴⁸¹ VPB staff mailed notifications of Perkins’ upcoming release to the Albemarle and Nelson County Commonwealth’s Attorney’s Offices on April 3, 2020; the offices received the notifications, but the return receipts were undated.¹⁴⁸² On April 14, 2020, Victim Input Coordinator Bowen input a note indicating that Perkins’ one registered victim (whom she had previously acknowledged was deceased) would receive a letter notification of Perkins’ release.¹⁴⁸³ Perkins was released from Deerfield Correctional Center on April 24, 2020.¹⁴⁸⁴

F. Violations of Law

No violations found.

Release of James Riddick

A. Sentencing Information

James Riddick was convicted of 5 robberies, 6 abductions, 5 counts of use of a firearm in the commission of a felony, and conspiracy in Virginia Beach and Newport News in 1996 and 1997.¹⁴⁸⁵ Riddick’s total sentence was 37 years and 8 months, with additional suspended time.¹⁴⁸⁶

B. Facts of Geriatric Conditional Release-Eligible Offenses

In one robbery on December 21, 1995, 39-year-old Riddick and a codefendant went into a Hardee’s in Virginia Beach and hid in the bathroom.¹⁴⁸⁷ They came out wearing ski masks and ordered all the employees to get on the floor.¹⁴⁸⁸ The safe was emptied while the employees were held at gunpoint on the floor.¹⁴⁸⁹ Riddick and his codefendant then locked the employees in an office and fled out the back door.¹⁴⁹⁰

In two other offenses on December 29, 1995, Riddick and two codefendants robbed a Hardee’s and a McDonald’s in Newport News.¹⁴⁹¹ In both cases, Riddick and his codefendants ordered store employees to move around the store at gunpoint and stole large amounts of cash.¹⁴⁹²

C. Prior Criminal History and Institutional Discipline

Riddick had a prior 1980 conviction in Kentucky for operating an unlicensed security agency.¹⁴⁹³ Riddick was on bond for a charge of domestic assault when he committed his 1996 robberies.¹⁴⁹⁴ He committed three institutional infractions while incarcerated.¹⁴⁹⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Riddick on February 18, 2020 at Lawrenceville Correctional Center.¹⁴⁹⁶ Riddick told the examiner that he had committed his robberies with a broken BB gun to get money for survival and drugs.¹⁴⁹⁷ Riddick stated that he was a good parole risk because he had spent the last 25 years regretting his actions, and he wanted to help young men change any bad habits that might cause them to end up in prison.¹⁴⁹⁸ Riddick acknowledged that he had hurt many people, including his victims, their families, and his own family.¹⁴⁹⁹ Riddick concluded that he realized the vast number of people he had hurt and disappointed, and that he was

sorry for the wrong he did.¹⁵⁰⁰ The examiner recommended that Riddick be released.¹⁵⁰¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

On March 16, 2020, Chair Adrienne Bennett voted to grant Riddick geriatric conditional release.¹⁵⁰² On March 17, 2020, Victim Input Coordinator Lisa Bowen placed a note in Riddick's CORIS file stating "VICTIM RESEARCH - No registered victims in VINE. No victim names in PSI for Virginia Beach and Newport News robberies. Sent information to V/W offices in both locations to see if they have victim information."

On March 26, 2020, VPB member A. Lincoln James voted to release Riddick.¹⁵⁰³ On March 27, 2020, member Sherman Lea cast the final necessary vote to release Riddick.¹⁵⁰⁴ VPB records list the "Decision Date" in Perkins' case as "03/27/2020."¹⁵⁰⁵ No victim contact information was provided to VPB members before the "Decision Date."¹⁵⁰⁶

On March 31, 2020, Chair Adrienne Bennett placed a note in Riddick's file stating "Ready to certify." Thereafter, Victim Input Coordinator Bowen placed a note in Riddick's file stating "VICTIM RESEARCH COMPLETE - No response received from Victim Witness offices. No further research is necessary. Ready to certify."¹⁵⁰⁷ VPB certified its decision to grant Riddick geriatric conditional release on March 31, 2020.¹⁵⁰⁸ VPB staff mailed notifications of Riddick's upcoming release to the Virginia Beach and Newport News Commonwealth's Attorney's Offices on April 3, 2020; the Virginia Beach office received the notification on April 10, 2020, and the return receipt from the Newport News office was undated.¹⁵⁰⁹ Riddick was released from Deerfield Correctional Center on May 8, 2020.¹⁵¹⁰

F. Violations of Law

No violations found.

Release of James Turner

A. Sentencing Information

a. Parole-Eligible Offenses

On October 18, 1982, James Turner was sentenced in Southampton Circuit Court for burglary and grand larceny that he committed in January 1982.¹⁵¹¹ Turner was sentenced to 12 months for burglary and four years suspended for grand larceny.¹⁵¹² On December 15, 1982, Turner was sentenced to six months in Isle of Wight Circuit Court for a grand larceny committed in February 1981.¹⁵¹³ Turner completed his probation period in Southampton County in 1985.¹⁵¹⁴

On February 22, 1990, Turner was sentenced to five years with three suspended in Southampton Circuit Court for third-offense petit larceny that he committed on May 8, 1989.¹⁵¹⁵ Turner successfully completed probation in July 1992.¹⁵¹⁶

b. Parole-Ineligible Offenses (Eligible for Geriatric Conditional Release)

On August 2, 2001, Turner was convicted of two counts of forgery of a public record and two counts of uttering a forged public record in Prince George Circuit Court.¹⁵¹⁷ On the forgery counts, Turner was sentenced to five years with four years and six months suspended, and five years with four suspended, respectively.¹⁵¹⁸ On both uttering counts, Turner was sentenced to five years suspended.¹⁵¹⁹ Turner was placed on indefinite supervised probation.¹⁵²⁰

On January 10, 2002, Turner was sentenced to five years suspended in Prince George Circuit Court for possession of cocaine he committed on May 23, 2000.¹⁵²¹ The same day, Turner's probation on the forgery and uttering convictions was revoked and he was sentenced to two additional years of incarceration.¹⁵²²

On January 17, 2002, Turner was sentenced to five years with three suspended in Southampton Circuit Court for possession of cocaine he committed on April 28, 2001.¹⁵²³ Turner was released on probation in 2006, and he was discharged from supervision on July 16, 2011.¹⁵²⁴

On September 30, 2011, Turner committed possession of cocaine with intent to distribute in Southampton County.¹⁵²⁵ Turner was sentenced to seven years for that offense in Southampton Circuit Court in July 2012. Turner committed two other instances of possession of cocaine with intent to distribute in Southampton County on April 19, 2012 and May 22, 2012.¹⁵²⁶ Turner was sentenced to consecutive terms of ten years with four suspended for the two offenses, making his total, non-parole-eligible sentence for cocaine distribution 27 years with eight suspended.¹⁵²⁷

B. Facts of Geriatric Conditional Release-Eligible Offenses

On April 19, 2012, based on information received that Turner was selling drugs, Franklin Police conducted a controlled purchase of cocaine from Turner.¹⁵²⁸ A confidential informant was equipped with surveillance equipment and given \$50.¹⁵²⁹ The informant walked to a Hi-Lo store, met with an unidentified man, and walked away from the store toward Cobb Street, where Turner was; Law-enforcement surveillance observed these interactions.¹⁵³⁰ The informant and Turner left the visual surveillance area, and officers then heard the informant conducting the drug transaction over the surveillance equipment.¹⁵³¹ The informant advised police that the unidentified man had brought him to Turner, who was in a white van.¹⁵³² The informant turned over to police the crack cocaine that Turner sold.¹⁵³³ Police found that the white van was registered to James Turner.¹⁵³⁴ Turner was not arrested that day.¹⁵³⁵

On May 22, 2012, a Franklin police officer obtained a warrant for Turner's arrest based on the April 19 crack cocaine sale; the officer observed Turner's white van pull into the Holiday Food store in Franklin.¹⁵³⁶ Turner resisted arrest, requiring multiple police officers to respond and assist.¹⁵³⁷ A search of Turner's person and van yielded more than an ounce of crack cocaine.¹⁵³⁸

C. Prior Criminal History

Turner's complete criminal history is included above.

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Turner at Baskerville Correctional Center on December 17, 2019.¹⁵³⁹ Turner was ineligible for discretionary parole because he committed his crimes after 1995; this was 65-year-old Turner's first interview for geriatric conditional release.¹⁵⁴⁰ The examiner noted that Turner's most recent COMPAS recidivism assessment yielded a high overall risk of recidivism, with a high risk of violent recidivism.¹⁵⁴¹ The examiner recommended against releasing Turner, noting that he had not completed any programs or education while incarcerated.¹⁵⁴²

E. Parole Board Deliberations and Victim and Prosecutor Contact

On January 14, 2020, Chair Adrienne Bennett voted to grant Turner geriatric conditional

release.¹⁵⁴³ On February 18, 2020, VPB member Kemba Pradia voted to grant Turner geriatric conditional release.¹⁵⁴⁴ On March 20, 2020, member Sherman Lea cast the final necessary vote to grant Turner geriatric conditional release.¹⁵⁴⁵ VPB records list the “Decision Date” in Turner’s case as “03/20/2020.”¹⁵⁴⁶ On March 31, 2020, Chair Bennett input a note stating “Ready to certify,” and on the same day, VPB certified its decision to grant Turner geriatric conditional release.¹⁵⁴⁷ VPB staff mailed a notification of Turner’s upcoming release to the Southampton Commonwealth’s Attorney’s Office on April 3, 2020; the return receipt was undated.¹⁵⁴⁸ Turner was released from Baskerville Correctional Center on April 27, 2020.¹⁵⁴⁹

F. Violations of Law

No violations found.

Release of James Wright

A. Sentencing Information

James Wright was convicted of robbery, 3 burglaries, 3 grand larcenies, and brandishing a firearm in Virginia Beach in 1988.¹⁵⁵⁰ He was sentenced to 9 years and released on discretionary parole in 1992.¹⁵⁵¹ In 1994 in Virginia Beach, Wright committed robbery, abduction, firing into an occupied vehicle, and use of a firearm in the commission of a felony, receiving an 18-year sentence.¹⁵⁵² Wright was sentenced to an additional five years on probation violations related to the 1988 burglaries.¹⁵⁵³

Wright was released on mandatory parole in January 2009.¹⁵⁵⁴ In 2010, Wright committed two counts of receiving stolen property and one count of obtaining money by false pretenses in Virginia Beach.¹⁵⁵⁵ He received an active sentence of 3 years, and his parole was revoked.¹⁵⁵⁶

B. Prior Criminal History and Institutional Discipline

Wright has prior convictions for 6 robberies and malicious wounding.¹⁵⁵⁷ Wright committed one institutional infraction while incarcerated.¹⁵⁵⁸

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Wright on January 16, 2020 at St. Brides Correctional Center.¹⁵⁵⁹ The examiner noted that Wright’s recent COMPAS risk assessment listed a medium risk for general and violent recidivism.¹⁵⁶⁰ Wright told the examiner that he committed his offenses to make some fast money, without realizing it was a big mistake.¹⁵⁶¹ Wright wanted to apologize to the property owners and to have an opportunity to pay them back.¹⁵⁶² Wright stated that being in prison would not help him pay the victims back.¹⁵⁶³ Wright informed the examiner that he was less of a parole risk because he had developed responsibilities while in prison that would translate to being responsible in society.¹⁵⁶⁴ The examiner recommended that Wright be released.¹⁵⁶⁵

D. Parole Board Deliberations and Victim and Prosecutor Contact

On February 16, 2020, VPB member Sherman Lea voted to grant Wright discretionary parole.¹⁵⁶⁶ On March 27, 2020, Chair Adrienne Bennett voted to grant Wright parole.¹⁵⁶⁷ On March 7, 2020, member Kemba Pradia cast the final necessary vote to grant Wright parole.¹⁵⁶⁸ VPB records list the “Decision Date” in Wright’s case as “03/07/2020.”¹⁵⁶⁹

VPB records and notes contain no indication that VPB attempted to research or contact

Wright's victims before releasing him.¹⁵⁷⁰ On March 31, 2020, Chair Bennett placed a note in Wright's file stating "Ready to certify. Parole Violator."¹⁵⁷¹ VPB certified its decision to grant Wright discretionary parole the same day.¹⁵⁷² VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Virginia Beach Commonwealth's Attorney's Office on April 6, 2020; that office received the notification on April 10, 2020.¹⁵⁷³ Wright was released from Green Rock Correctional Center on May 13, 2020.¹⁵⁷⁴

E. Violations of Law

VPB's decision to grant James Wright discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of Wright's parole-eligible felony offenses.¹⁵⁷⁵

Release of John Queen

A. Sentencing Information

John Queen was convicted of 2 robberies, attempted robbery, 2 counts of use of a firearm in the commission of a felony, grand larceny of an automobile, grand larceny, and conspiracy in Norfolk, Virginia Beach, and Williamsburg in 1990.¹⁵⁷⁶ Queen was sentenced to serve 54 years.¹⁵⁷⁷

B. Facts of Parole-Eligible Offenses

On October 24, 1989 in Norfolk, a female victim was sitting in the passenger seat of a vehicle when Queen entered the vehicle from the driver's side and robbed her at gunpoint, taking cash, her passport, immigration & naturalization papers, and assorted jewelry.¹⁵⁷⁸

On October 26, 1989 at the Anderson's Corner Motel in Toano, Queen confronted two female victims, a mother and daughter, in the motel office.¹⁵⁷⁹ Queen threatened the victims at gunpoint and ripped the phone out of the wall. Queen took the women's purses and approximately \$187 cash.¹⁵⁸⁰ Police began search efforts using ground units and a helicopter, and Queen was located and arrested.¹⁵⁸¹

C. Prior Criminal History and Institutional Discipline

Queen was previously convicted of robbery and unlawfully carrying a firearm in Massachusetts in 1987.¹⁵⁸² Queen was paroled in 1988, and at the time he committed his Virginia robberies, he was wanted as a parole absconder in Massachusetts.¹⁵⁸³

Queen committed 77 institutional infractions while incarcerated, including wounding a law-enforcement canine, 7 assaults, 7 instances of possession of contraband, 5 instances of fighting, 4 instances of indecent exposure, 3 instances of threatening bodily harm, 3 instances of property damage, possession of a weapon, stealing, possession of stolen property, possession of unauthorized drugs, committing a lewd or obscene act, and tampering with security materials.¹⁵⁸⁴

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Queen via telephone on May 3, 2019.¹⁵⁸⁵ Queen told the examiner that he and a codefendant "came to Virginia and robbed a number of people."¹⁵⁸⁶ Queen stated that he wanted to go back to Massachusetts, where he had 7 years left to serve on a previous robbery.¹⁵⁸⁷ The examiner recommended that Queen be released.¹⁵⁸⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted 37 letters and phone calls in support of Queen between 2002 and 2016, most of which were from Queen's mother.¹⁵⁸⁹ VPB noted no victim research or contact efforts until voting was completed.¹⁵⁹⁰

On June 6, 2019, VPB member A. Lincoln James voted against granting Queen discretionary parole, citing the following reasons: "Your prior failure(s) and/or convictions while under community supervision indicate that you are unlikely to comply with conditions of release; Your record indicates a serious disregard for the property rights of others; Serious nature and circumstances of your offense(s)."¹⁵⁹¹ On July 10, 2019, member Sherman Lea voted to grant Queen parole.¹⁵⁹² On August 24, 2019, member Linda Bryant voted to grant Queen parole.¹⁵⁹³ On August 26, 2019, Vice-Chair Jean Cunningham cast the final necessary vote to grant Queen parole.¹⁵⁹⁴ VPB records list the "Decision Date" in Queen's case as "08/26/2019."¹⁵⁹⁵

On November 13, 2019, VPB employee Crystal Noakes placed a note in Queen's file stating "Research commenced."¹⁵⁹⁶ Noakes contacted the Norfolk and Williamsburg Victim/Witness programs but no information about Queen's offenses was available.¹⁵⁹⁷ Noakes noted on November 21, 2019 that victim research was complete.¹⁵⁹⁸

On March 30, 2020, Chair Bennett placed a note in Queen's file stating "Ready to Certify,"¹⁵⁹⁹ and VPB certified its decision to grant Queen discretionary parole the same day.¹⁶⁰⁰ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Virginia Beach and Williamsburg Commonwealth's Attorney's Offices on April 1, 2020; those offices received the notification on April 6, 2020.¹⁶⁰¹ Queen was released from prison on May 14, 2020.¹⁶⁰²

F. Violations of Law

VPB's decision to grant John Queen discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of Wright's parole-eligible felony offenses before casting all the necessary votes to release Queen.

Release of Jonathan Branch

A. Sentencing Information

On December 20, 1990 in Richmond, 23-year-old Jonathan Branch committed aggravated malicious wounding, second-degree murder, and two counts of use of a firearm in the commission of a felony.¹⁶⁰³ Branch was sentenced in Richmond City Circuit Court on April 29, 1991 to life in prison for aggravated malicious wounding, 20 years for second-degree murder, and six total years for his firearm offenses.¹⁶⁰⁴

B. Facts of Parole-Eligible Offenses

On December 20, 1990, Jonathan Branch and two other men entered the Fairmont Market in Richmond to steal beer.¹⁶⁰⁵ A store clerk grabbed Mr. Branch and the others ran out of the store with the beer.¹⁶⁰⁶ The owner held a gun on Branch but turned his back to Branch as he was contacting the police.¹⁶⁰⁷ Branch then pulled a gun and shot the store owner in the back and in the neck.¹⁶⁰⁸ Branch then ran toward the store door, but the store clerk stepped in front of him, unarmed.¹⁶⁰⁹ Branch shot the clerk in the neck, chest, and abdomen, causing his death.¹⁶¹⁰ The store owner survived, but he sustained a severe spinal injury that resulted in near-total paralysis

except for limited neck and hand movement.¹⁶¹¹

C. Prior Criminal History and Institutional Discipline

In April 1988, Branch was convicted of carrying a concealed weapon.¹⁶¹² Branch committed four institutional infractions during his incarceration, with the most recent in 2011.¹⁶¹³

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Branch on December 11, 2019 at Green Rock Correctional Center.¹⁶¹⁴ Branch had never been recommended for release by an examiner before 2019.¹⁶¹⁵ The examiner noted that Branch had served 29 years of his life plus 26 year sentence, and this was Branch's 16th parole interview.¹⁶¹⁶ The examiner recalled that in his 2017 interview, Branch had falsely claimed that he shot the victims in self-defense, stating that if he had not fired his gun the store owner would have shot him.¹⁶¹⁷ The examiner noted that Branch had completed many treatment programs, took responsibility for his offenses, and showed remorse.¹⁶¹⁸ The examiner recommended that Branch be granted parole.¹⁶¹⁹

E. Parole Board Deliberations and Victim and Prosecutor Contact

In June 2018, a VPB employee noted the following unsolicited victim opposition from Branch's aggravated malicious wounding victim: "Opposition Input - Opposition form [sic] Mr. [REDACTED], victim. Mr. [REDACTED] stated that he opposes the release of Mr. Branch. He stated that he never wants to see him released, under any circumstances."¹⁶²⁰ VPB additionally took a meeting with Branch's supporters in October 2019, who asked VPB to release Branch and claimed that Branch had "done above and beyond what the state has asked."¹⁶²¹ VPB received three other letters from Branch's supporters on November and December 2019.¹⁶²²

On January 28, 2020, VPB member A. Lincoln James voted against granting Branch discretionary parole.¹⁶²³ On March 20, 2020, member Linda Bryant voted to grant Branch parole.¹⁶²⁴ On March 21, 2020, member Kemba Pradia voted to grant Branch parole.¹⁶²⁵ On March 24, 2020, Victim Input Coordinator Lisa Bowen input a note stating the following:

VICTIM RESEARCH - The malicious wounding victim [REDACTED] is registered for notifications in VINE. His address is current according to the database. I was not able to locate the homicide victim [REDACTED] in the database. Richmond V/W has no records prior to 2001 so they will not have information for this crime (12/20/1990).

On March 27, 2020, member Sherman Lea cast the final necessary vote to grant Branch parole.¹⁶²⁶ VPB records list the "Decision Date" in Branch's case as "03/27/2020."¹⁶²⁷ On March 31, 2020, Chair Adrienne Bennett input a note stating "Ready to certify," and VPB certified its decision to grant Branch discretionary parole the same day.¹⁶²⁸ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond City Commonwealth's Attorney's Office on April 3, 2020; that office received the notification on April 9, 2020.¹⁶²⁹

On April 21, 2020, Victim Input Coordinator Bowen input a note stating "VICTIM NOTIFICATION – Victim is registered in VINE. Will receive release notification via VINE letter."¹⁶³⁰ Branch was released from Green Rock Correctional Center on May 11, 2020.¹⁶³¹

F. Violations of Law

VPB's decision to grant Jonathan Branch discretionary parole violated Va. Code § 53.1-155(B). No attempt to "endeavor diligently" to contact the family of Branch's murder victim occurred until after VPB cast the necessary votes to release Branch.

Release of Julian Ruffin

A. Sentencing Information

Julian Ruffin was convicted of 2 robberies, use of a firearm in the commission of a felony, receiving stolen property, and fraud in Norfolk and Hampton in 1982.¹⁶³² He was sentenced to 5 years of active incarceration.¹⁶³³ Ruffin was released on discretionary parole and later absconded; his parole officer learned in 1988 that Ruffin had relocated to Florida, where he had been convicted of robbery and 2 counts of aggravated assault.¹⁶³⁴ Ruffin served 5 years in prison in Florida and later returned to Virginia.¹⁶³⁵ In 2000 in Chesapeake, 43-year-old Ruffin committed 2 bank robberies, receiving a sentence of 50 years with 18 suspended.¹⁶³⁶

B. Facts of Geriatric Conditional Release-Eligible Offenses

On August 30, 2000, Ruffin entered the Suntrust Bank in Chesapeake. Ruffin gave the teller a note demanding \$5,000 and indicated that he had a gun.¹⁶³⁷ Ruffin received \$1,370.¹⁶³⁸ On September 5, 2000, Ruffin entered the Bank of Tidewater, passed the teller a note demanding \$5,000, and indicated that he had a gun.¹⁶³⁹ The teller gave Ruffin the money as instructed.¹⁶⁴⁰

C. Prior Criminal History and Institutional Discipline

Ruffin was on probation for a 1982 marijuana distribution conviction when he committed the robberies in Norfolk.¹⁶⁴¹ Ruffin committed one institutional infraction while incarcerated.¹⁶⁴²

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Ruffin on February 13, 2020 at Augusta Correctional Center.¹⁶⁴³ Ruffin told the examiner that he did not want to live his life any longer as he had in the past.¹⁶⁴⁴ Ruffin stated that he knew right from wrong, but he used drugs and broke the law, always kidding himself into saying "just one more time."¹⁶⁴⁵ Ruffin stated that prison was what he needed, and he could not believe the way he used to live, think and act.¹⁶⁴⁶ The examiner recommended that Ruffin be released.¹⁶⁴⁷

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB received six letters in support of Ruffin in February 2020.¹⁶⁴⁸ On March 5, 2020, Board member A. Lincoln James voted against granting Ruffin geriatric conditional release.¹⁶⁴⁹ On March 23, 2020, member Sherman Lea voted to release Ruffin.¹⁶⁵⁰ On March 24, 2020, Chair Adrienne Bennett voted to release Ruffin.¹⁶⁵¹ The same day, member Kemba Pradia cast the final necessary vote to release Ruffin.¹⁶⁵² VPB records list the "Decision Date" in Ruffin's case as "03/24/2020."¹⁶⁵³ VPB documented no efforts to contact any of Ruffin's victims.¹⁶⁵⁴ On March 31, 2020, Chair Bennett input a note stating "Ready to Certify," followed by a note stating "There are no victims identified in PSI [presentence investigation report]."¹⁶⁵⁵ VPB certified its decision to grant Ruffin geriatric conditional release on March 31, 2020.¹⁶⁵⁶

VPB staff mailed a notification of Ruffin's upcoming release to an unidentified

Commonwealth's Attorney's Office on April 6, 2020; there is no evidence that the notification was received.¹⁶⁵⁷ Ruffin was released from Augusta Correctional Center on May 26, 2020.¹⁶⁵⁸

F. Violations of Law

No violations found.

Release of Kamani Sun, f/k/a James Forman¹⁶⁵⁹

A. Sentencing Information

20-year-old James Forman committed rape and burglary in Lynchburg on January 12, 1989.¹⁶⁶⁰ On July 11, 1989 in Lynchburg Circuit Court, he was sentenced to life in prison for rape and ten years for burglary.¹⁶⁶¹

B. Facts of Parole-Eligible Offenses

At 11:00 p.m. on January 13, 1989, [REDACTED] was awakened by someone knocking on the rear door of her apartment.¹⁶⁶² The man at the door, James Forman, asked for someone named George.¹⁶⁶³ She informed the man that there was no one named George there, closed the door, and went back to bed.¹⁶⁶⁴ There was another knock at the door; the victim answered the door again, still half asleep.¹⁶⁶⁵ As she opened the door, a man hidden from view wearing a ski mask rushed past Forman, grabbed her, and forced her up against the wall.¹⁶⁶⁶ Forman and the masked man then attempted to and finally succeeded in raping her.¹⁶⁶⁷

[REDACTED] fought vigorously against being subdued by the two physically overpowering men, and at one point, she almost got away from them.¹⁶⁶⁸ One of the men told her that if she did not settle down, they would "smack her face off."¹⁶⁶⁹ Forman ripped off the victim's underpants but did not achieve penetration because she was struggling so hard and had her legs crossed, placing her hands over her vagina.¹⁶⁷⁰ The two men then switched positions.¹⁶⁷¹

Eventually, the men stuffed a sock into the victim's mouth to silence her cries for help.¹⁶⁷² Forman then penetrated the victim vaginally despite her resistance.¹⁶⁷³ The victim stated that Forman's codefendant attempted to rape her, but she did not believe he actually penetrated her.¹⁶⁷⁴ During the struggle, the two men made remarks indicating that they had been watching her for several weeks and were aware of her personal situation.¹⁶⁷⁵ As the men were leaving, Forman made the victim promise on her grandmother's grave that she would not tell anyone about the incident, and that if she did, he would come and look for her, because Forman knew she worked at a local Little Caesar's.¹⁶⁷⁶

Forman admitted to raping the victim and described in detail her reaction to being raped.¹⁶⁷⁷

C. Prior Criminal History and Institutional Discipline

Forman had no prior criminal history except miscellaneous traffic convictions.¹⁶⁷⁸ He committed five institutional infractions while incarcerated.¹⁶⁷⁹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Forman on December 4, 2019 at Greenville Correctional Center.¹⁶⁸⁰ Forman admitted to the examiner that after pleading guilty, he lied to the presentence report writer and falsely claimed that he was on LSD when he committed the rape.¹⁶⁸¹ The

examiner noted that in the past, Forman had spoken to prison staff questioning why murderers were being released before him.¹⁶⁸² Forman recalled using THC, cocaine, acid, LSD, speed, and alcohol before his incarceration.¹⁶⁸³ Forman stated that he committed his crime because he lacked morals, and he claimed that he now had morals.¹⁶⁸⁴ Forman told the examiner that he accepted responsibility and was immature at the time he committed rape.¹⁶⁸⁵ The examiner recommended that Forman be released.¹⁶⁸⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB received 14 letters in support of Forman during his parole eligibility.¹⁶⁸⁷ VPB also conducted five meetings with Forman's supporters.¹⁶⁸⁸ On December 12, 2019, VPB member Sherman Lea voted to grant Forman discretionary parole.¹⁶⁸⁹

One of VPB's meetings with Forman's supporters occurred on January 16, 2020, and it included five of Forman's family members, several attorneys, and advocate/ex-parolee Willie Brown,¹⁶⁹⁰ who met Forman while incarcerated at Greensville Correctional Center.¹⁶⁹¹

The same day as she conducted the meeting with Forman's supporters, VPB member Linda Bryant placed a file note indicating that she had requested victim research and a screening to determine whether Forman was a sexually violent predator under Virginia law.¹⁶⁹² On January 21, 2020, Victim Input Coordinator Lisa Bowen input the following file note: "VICTIM RESEARCH - No registered victims in VINE. The rape victim is [REDACTED]. No contact with Lynchburg V/W to date. Using information from the PSI I may have located victim in the database. She is showing deceased [REDACTED]."¹⁶⁹³

On February 5, 2020, VPB administrator Tracy Schlagel placed a note in CORIS stating "SVP screen complete. According to the CRC, no further evaluation is deemed necessary."¹⁶⁹⁴ On March 2, 2020, member Linda Bryant voted to grant Forman parole.¹⁶⁹⁵ On March 3, 2020, member Kemba Pradia voted to grant Forman parole.¹⁶⁹⁶ On March 13, 2020, Victim Input Coordinator Lisa Bowen placed a file note stating "VICTIM RESEARCH - Sent another request to Lynchburg V/W for help with victim contact information. I did not get a response. I believe the victim is deceased based on information from the PSI and database."¹⁶⁹⁷ On March 19, 2020, member A. Lincoln James cast the final necessary vote to grant Forman parole.¹⁶⁹⁸ VPB records list the "Decision Date" in Forman's case as "03/19/2020."¹⁶⁹⁹ On March 31, 2020, Chair Adrienne Bennett placed a note in Forman's file stating "Ready to certify," and VPB certified its decision to grant Forman parole the same day.¹⁷⁰⁰

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Lynchburg Commonwealth's Attorney's Office on April 6, 2020; there is no evidence that office received the notification.¹⁷⁰¹ Forman was released from Green Rock Correctional Center on May 26, 2020.¹⁷⁰²

F. Violations of Law

No violations found.

Release of Keith Bynum

A. Sentencing Information

On July 21, 1994 in Virginia Beach, Keith Bynum committed robbery and conspiracy to commit robbery.¹⁷⁰³ He was sentenced to 30 years for robbery and five years for conspiracy in

Virginia Beach Circuit Court on August 20, 1996.¹⁷⁰⁴ Bynum committed the offense of receiving stolen property in Virginia Beach on February 7, 1995, receiving an 18-month sentence in Virginia Beach Circuit Court on September 6, 1995.¹⁷⁰⁵

On February 4, 1995, Bynum committed carjacking and use of a firearm in the commission of carjacking in Chesapeake.¹⁷⁰⁶ Bynum was sentenced to 15 years for carjacking and 3 years for use of a firearm in Chesapeake Circuit Court on April 8, 1996.¹⁷⁰⁷ Bynum also committed the offense of possession of a firearm by a convicted felon on February 13, 1995, receiving a one-year sentence on December 15, 1995.¹⁷⁰⁸ Bynum's sentences totaled 55 years and six months.¹⁷⁰⁹

B. Facts of Relevant Offenses

On July 21, 1994, Bynum and a codefendant approached a man while he was sitting in his car.¹⁷¹⁰ The victim was ordered out of his car at gunpoint, and Bynum and the codefendant searched him and took \$350.00.¹⁷¹¹

On February 7, 1995, Bynum was discovered in a stolen car in Virginia Beach.¹⁷¹² He admitted to police he knew the car was stolen and said that he and his "crack friends" used that car along with multiple other stolen vehicles.¹⁷¹³

On February 4, 1995, a couple was returning to their car in the K-Mart parking lot in Chesapeake.¹⁷¹⁴ Bynum approached the couple as they attempted to get in the car.¹⁷¹⁵ Bynum produced a sawed-off shotgun, placed it against one of the victims' thigh, and demanded the keys.¹⁷¹⁶ The victims exited the car and gave Bynum the keys, and Bynum fled in the vehicle.¹⁷¹⁷

C. Prior Criminal History and Institutional Adjustment

Bynum's criminal history began in 1988 in New York; it includes convictions for disorderly conduct, attempted sale of a controlled substance, attempted robbery, attempted possession of stolen property, unauthorized use of auto, criminal mischief, possession of burglary tools, driving on a suspended license, possession of an imitation controlled substance, sale of an imitation controlled substance, failure to appear in court, and receiving stolen property.¹⁷¹⁸ Bynum was previously paroled in New York in 1987 and absconded from supervision within three months.¹⁷¹⁹ New York records reflect that Bynum did not view himself as a criminal, and that "his anti-social behavior had gained him membership in a group (gang) known as the 'Five Percenters.'"¹⁷²⁰ A New York report reflected that Bynum's "use and selling of drugs in the Far Rockaway Community made him a threat to himself and the community," noting that the drug sales in Far Rockaway were "very cut throat and violent."¹⁷²¹

Bynum committed 20 institutional infractions while incarcerated.¹⁷²²

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Bynum at Deerfield Correctional Center on February 3, 2020; this was Bynum's second discretionary parole interview since completing his parole-ineligible sentences.¹⁷²³ The examiner noted that according to Bynum, at the time of his offenses, "Keith Bynum had a distorted sense of reality, into the 5% thing, thought he was God and controlled the world."¹⁷²⁴ Bynum stated that at that time, he was angry, confused and did not care about anybody or anything.¹⁷²⁵ The examiner recommended against granting Bynum parole.¹⁷²⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB documented no attempts to research or contact any of Bynum's victims.¹⁷²⁷ The Virginia Beach Commonwealth's Attorney's Office provided information regarding the identity and status of one victim following Bynum's release.¹⁷²⁸ Reproduced below is the full extent of all information available to VPB members before granting Bynum parole, including advocacy input from Shakil Ali (f/k/a Charles McGuffin Jr.), an ex-parolee.¹⁷²⁹

All Parole Board Notes			
Staff	Note Date	Note Type	Details
Adrianne Bennett	03/31/2020	Parole Board Note	Ready to certify.
Adrianne Bennett	03/31/2020	Parole Board Note	Ready to certify.
Adrianne Bennett	03/31/2020	Parole Board Note	Ready to certify.
Laura H. Hall	03/16/2020	Parole Board Note	Attached, support information for the Board's review, submitted by Shakil Ali, advocate.
Laura H. Hall	03/16/2020	Offender Support - Board Appt.	Kemba Smith Pradia conducted a telephone appointment with Shakil Ali, advocate. Mr. Ali noted the home plan is with Franklin Grove. This plan will be a good plan to ease his transition back into society. Mr. Bynum is very remorseful for his actions. Mr. Ali spent time with Mr. Bynum in Haynesville. Mr. Ali knows the offender's daughter, meeting her in the visiting room, she was born after her dad went to prison. Keith is a cook and has taken a lot of classes to prepare himself for this profession, has his Serve Safe certification. Keith has completed cognitive behavior classes and is an elder in the prison. Keith is a role model for the younger offenders. Keith is of immaculate character. The offender's daughter lives in [REDACTED]
Diana Lindgren	03/09/2020	Parole Board Note	Attached 2019 appeal for Parole denial.
Timothy Phillips	01/02/2019	Parole Board Note	<p><p style="margin: 0in 0in 10pt 0in;">Good Morning Laura and Happy New Year!</p><p style="margin: 0in 0in 10pt 0in;">&nbsp;</p><p style="margin: 0in 0in 10pt 0in;">FYI, upcoming initial parole interview case, Keith Bynum #1172325 was convicted on conspiracy robbery, firearm, carjacking, receive stolen property and possess firearm by convicted felon in Chesapeake #31 & VA Beach #23 in 1996 & 95.</p><p style="margin: 0in 0in 10pt 0in;">While there is no PSI in CORIS, the system does indicate reports were prepared by both jurisdictions.</p><p style="margin: 0in 0in 10pt 0in;">Could we request copies of the PSIs?</p>

<p style="margin: 0in 0in 10pt 0in;">Tim</p></p>

On March 17, 2020, VPB member Kemba Pradia voted to grant Bynum discretionary parole.¹⁷³⁰ On March 26, 2020, member Sherman Lea voted to grant Bynum parole.¹⁷³¹ Chair Adrianne Bennett cast the final necessary vote to grant Bynum parole on March 28, 2020.¹⁷³² VPB records list the "Decision Date" in Bynum's case as "03/28/2020."¹⁷³³ VPB certified its decision to grant Bynum parole on March 31, 2020.¹⁷³⁴ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Virginia Beach Commonwealth's Attorney's Office on April 3, 2020; return receipt indicated that the Virginia Beach Commonwealth's Attorney's Office received the notification on April 10, 2020.¹⁷³⁵ Bynum was released from Deerfield Correctional Center on May 11, 2020.¹⁷³⁶

F. Violations of Law

VPB's decision to grant Keith Bynum parole violated Va. Code § 53.1-155(B), because VPB failed to make any effort to "endeavor diligently" to contact the victim of Bynum's pre-1995 parole-eligible robbery.

Release of Keith Harrington

A. Sentencing Information

Keith Harrington was convicted of four counts of petit larceny in Danville Juvenile & Domestic Relations Court on March 15, 1984, receiving a total active sentence of 24 months.¹⁷³⁷ Harrington was convicted of grand larceny and three counts of burglary in Danville Circuit Court on May 7, 1984, receiving five years for one burglary, consecutive terms of five years with four suspended for the other two burglaries, and four years for the grand larceny, for a total sentence of 19 years with eight suspended.¹⁷³⁸ Harrington was released on discretionary parole in 1986.¹⁷³⁹

On September 25, 1987, Harrington was convicted in Danville General District Court of petit larceny and failing to appear in court, receiving a total sentence of six months and fifteen days with three months suspended.¹⁷⁴⁰ Harrington's discretionary parole was revoked based on these convictions.¹⁷⁴¹

Harrington was sentenced on January 4, 1988 in Danville City Circuit Court for new convictions for burglary and grand larceny of an automobile, receiving 12 total years to serve.¹⁷⁴² Harrington was also sentenced to serve all eight previously suspended years for a probation violation in Danville Circuit Court on January 7, 1988.¹⁷⁴³ On March 11, 1988, Harrington was sentenced to five years for another burglary, and two years for another grand larceny.¹⁷⁴⁴

On May 14, 1992, Harrington was convicted by the Halifax County Circuit Court of possession of cocaine and marijuana as an inmate in Halifax Correctional Unit; he received five years to serve.¹⁷⁴⁵ Harrington was again released on discretionary parole in 2001.¹⁷⁴⁶

Eight months after his second release on discretionary parole, Harrington was arrested for assault & battery and numerous violations of the terms and conditions of his parole.¹⁷⁴⁷ Harrington was convicted in Danville Juvenile & Domestic Relations Court on August 7, 2002 of two counts of assault & battery and sentenced to serve 30 days in jail on each count.¹⁷⁴⁸ Harrington's discretionary parole was again revoked.¹⁷⁴⁹

Harrington was released for a third time on discretionary parole in 2009.¹⁷⁵⁰ On March 28, 2010, Harrington committed 3rd offense petit larceny (shoplifting).¹⁷⁵¹ The Danville Circuit Court sentenced Harrington to seven years with four years and six months suspended on September 3, 2010. Harrington was released on mandatory parole in 2013.¹⁷⁵² On November 19, 2013, Harrington tested positive for cocaine; he absconded from parole supervision shortly thereafter and was a fugitive for one year before he was arrested again.¹⁷⁵³ Harrington's mandatory parole was revoked in 2015, and he received an additional five-month sentence on a probation violation.¹⁷⁵⁴ Harrington's entire record includes seven burglary convictions, four felony larceny convictions, five misdemeanor larceny convictions, two assault & battery misdemeanors, and felony cocaine and marijuana possession convictions.¹⁷⁵⁵

B. Facts of Relevant Offenses

On November 15, 1983 Harrington's [REDACTED] discovered that \$500 was missing from her bedroom.¹⁷⁵⁶ She had cashed a Christmas Club check and hidden it.¹⁷⁵⁷

On November 27, 1983 in the early morning hours, Harrington burglarized a local restaurant in Danville by breaking out cinder blocks in the back of the building.¹⁷⁵⁸ A large number of items were taken, and Harrington and others attempted to sell the stolen items.¹⁷⁵⁹

On November 28, 1983, Harrington and others broke into a Danville Exxon service station.¹⁷⁶⁰ A neighbor heard the break-in and called the police.¹⁷⁶¹ Approximately \$120 in merchandise and money was taken from a vending machine along with other items from the station.¹⁷⁶² Harrington's fingerprints were found on the station's coin box.¹⁷⁶³

On December 20, 1983, Harrington broke into the YMCA building in Danville, forced open several lockers, and threw members' personal property all over the building.¹⁷⁶⁴

On July 5, 1987, Harrington stole a Mercedes-Benz from a Danville car dealership.¹⁷⁶⁵ On July 7, 1987, Harrington offered the vehicle for sale for \$6000.¹⁷⁶⁶ A buyer purchased the vehicle

for \$3000 and was later told by police that it had been stolen.¹⁷⁶⁷ The vehicle was subsequently located in Washington, D.C., and a friend of Harrington's admitted he had gone with Harrington to D.C. to sell the vehicle.¹⁷⁶⁸

On July 15, 1987, Harrington pried open two different windows of a Danville apartment, entered the residence, and stole a television set.¹⁷⁶⁹ Harrington's fingerprints were on the window.¹⁷⁷⁰ Harrington pled guilty to burglary and grand larceny.¹⁷⁷¹

On September 1, 1991, after receiving a civilian visit while in prison, Harrington was searched. Prison officials found a bag in Harrington's shoe containing cocaine and marijuana.¹⁷⁷²

On March 28, 2010, Danville Target loss prevention employees saw Harrington removing wristwatches and jewelry from their boxes and wrappers.¹⁷⁷³ Harrington concealed roughly \$235 of merchandise in his coat and pants pockets and left without paying.¹⁷⁷⁴

C. Prior Criminal History and Institutional Adjustment

Harrington's criminal history is fully described above. Harrington committed twelve institutional infractions during his various periods of incarceration, including stealing in 2013 and 2017, possession of stolen property, three instances of possession of contraband, two instances of possession of drugs or intoxicants, and being under the influence of drugs.¹⁷⁷⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Harrington for at Lunenberg Correctional Center on July 30, 2019.¹⁷⁷⁶ Harrington summarized his prior record by stating "bad choices."¹⁷⁷⁷ The examiner noted Harrington's history of alcohol, marijuana, and cocaine use over the years, including while incarcerated.¹⁷⁷⁸ Harrington claimed that he was now doing all the right things and realized he needed to be aware of "people, places and things."¹⁷⁷⁹ Harrington gave the examiner a 100% guarantee that he would make it on parole this time.¹⁷⁸⁰ The examiner recommended that Harrington be denied parole, noting that he had failed to demonstrate any commitment to abiding by the conditions of parole.¹⁷⁸¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

On September 1, 2019, VPB member Sherman Lea voted against granting Harrington discretionary parole.¹⁷⁸² On September 9, 2019, member A. Lincoln James voted against granting Harrington parole.¹⁷⁸³ On October 1, 2019, member Linda Bryant voted to grant Harrington parole.¹⁷⁸⁴ On October 9, 2019, member Kemba Pradia voted to grant Harrington parole.¹⁷⁸⁵ On November 14, 2019, Chair Adrienne Bennett cast the final necessary vote to grant Harrington parole.¹⁷⁸⁶ The same day, Chair Bennett input a note stating "Reports home plan to father – violator no victim research necessary."¹⁷⁸⁷ VPB records list the "Decision Date" in Harrington's case as "11/14/2019."¹⁷⁸⁸

The only note in Board records regarding victim research and contact was placed by Victim Input Coordinator Lisa Bowen on February 5, 2020: "VICTIM RESEARCH - No registered victims in VINE. Offender is a parole violator with shoplifting charges. Per Chair no further research necessary. Ready to certify." VPB documented no other attempts to research, identify, or contact any of Harrington's victims.¹⁷⁸⁹ On March 30, 2020, Chair Bennett input a note reading "Ready to Certify."¹⁷⁹⁰

VPB certified its decision to grant Harrington parole on March 31, 2020.¹⁷⁹¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Danville Commonwealth's Attorney's Office on April 3, 2020; return receipt indicated that the Danville Commonwealth's Attorney's Office received the notification on April 14, 2020.¹⁷⁹² Harrington was released from Lunenburg Correctional Center on April 21, 2020.¹⁷⁹³

F. Violations of Law

VPB's decision to grant Keith Harrington parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of any of Harrington's nine parole-eligible felony offenses.¹⁷⁹⁴

VPB's decision to grant Keith Harrington parole further violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Danville Commonwealth's Attorney's Office at least 21 business days prior to Harrington's release.

Release of Keith Speight

A. Sentencing Information

Keith Speight was convicted of attempted possession of cocaine and 2 robberies in Chesapeake and Virginia Beach in 1993.¹⁷⁹⁵ He received 15 years in prison, but was released on mandatory parole in 1995.¹⁷⁹⁶ Speight was convicted of 2 robberies, use of a firearm in the commission of a felony, and felony 3rd offense petit larceny in Chesapeake and Virginia Beach in 1997, receiving an active sentence of roughly 21 years.¹⁷⁹⁷ Speight was sentenced to additional prison time for multiple probation violations in Chesapeake and Virginia Beach.¹⁷⁹⁸

B. Facts of Parole-Eligible Offenses

On December 8, 1995, Speight entered the Food Lion at 1245 Cedar Road, Chesapeake.¹⁷⁹⁹ He picked up two small bags of chips and went to the cash register.¹⁸⁰⁰ After the clerk rang him up, he handed her a dollar.¹⁸⁰¹ As the cash drawer came open, Speight leaned over and grabbed the ten-dollar bills out of the register.¹⁸⁰² Speight then ran from the store and got into a vehicle driven by an associate.¹⁸⁰³

On December 13, 1995, Speight entered a Texaco station in Chesapeake and asked for change for a dollar.¹⁸⁰⁴ Speight then displayed a pocketknife and demanded all of the money.¹⁸⁰⁵ Speight took the money and left the store on foot, heading toward Mains Creek Road.¹⁸⁰⁶

On December 20, 1995, Speight entered the Food Lion at 910 Great Bridge Boulevard in Chesapeake.¹⁸⁰⁷ Speight handed the clerk a note that read, "I have a .38 special in my pocket if you yell or say anything I will blow your head off."¹⁸⁰⁸ The cashier asked Speight if he was joking, and Speight said that he was not.¹⁸⁰⁹ He then demanded money from the cash drawer and fled.¹⁸¹⁰

On March 28, 1996, Safeway Taxi Service driver [REDACTED] was dispatched to 1177 Bells Mill Road to pick up a passenger.¹⁸¹¹ [REDACTED] picked Speight up and transported him to the Holly Cove area of Chesapeake.¹⁸¹² Upon arrival, Speight pulled out a knife and demanded all the money that Mr. [REDACTED] had.¹⁸¹³ Speight then ripped out the vehicle's CB radio and left, heading toward the apartments on Sail Court.¹⁸¹⁴ Speight was observed entering an apartment at 4117 Sail Court, carrying a radio.¹⁸¹⁵ Police responded, found the apartment door open with nobody inside, and discovered the CB radio in the bathroom sink.¹⁸¹⁶ Speight was located a short

distance away and arrested.¹⁸¹⁷

C. Prior Criminal History and Institutional Discipline

Speight has prior convictions for destruction of property and three counts of petit larceny.¹⁸¹⁸ Speight committed 6 institutional infractions while incarcerated.¹⁸¹⁹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Speight on July 31, 2019 at Haynesville Correctional Center.¹⁸²⁰ The examiner noted that Speight's COMPAS risk assessment showed a medium risk for general recidivism.¹⁸²¹ Speight stated that leading up to his 1993 robberies, he needed money for drugs, and he and a codefendant decided to try to get some fast money to get high.¹⁸²² Speight said that after his release on mandatory parole in 1995, he continued to use drugs due to his continued drug addiction in prison, leading to his two additional robbery convictions.¹⁸²³ According to Speight, the best day of his life was when police arrested him in the apartment complex in Chesapeake.¹⁸²⁴ Speight regretted hurting the victims, and he knew he had scarred them mentally and emotionally.¹⁸²⁵ Speight stated that while incarcerated, he had learned the courage and motivation to develop true empathy and to mentally process all actions he might consider before acting out.¹⁸²⁶ Speight stated that incarceration had changed his life, and he was a changed man for the better.¹⁸²⁷ The examiner recommended that Speight be released.¹⁸²⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB received several letters from an advocate in support of Speight in 2018.¹⁸²⁹ Speight was correctly determined by VADOC to be ineligible for discretionary parole under Va. Code § 53.1-151(B1). In May 2018, Chair Adrienne Bennett recommended that Speight's discretionary parole eligibility be restored under the following theory:

Adrienne Bennett	05/21/2018	Parole Board Note	Three Strikes Parole Ineligibility. This offender has two strikes at most: Strike 1: Debatable as he had two robberies in 1992 without any weapons convictions, released on Parole in October 1995. Strike 2: 2 robberies (12/95 & 3/8/1996)with 1 companion use of firearm offense, not at liberty between offenses. Recommendation: Restore Parole Eligibility.
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Three Strikes Parole Ineligibility: This offender has two strikes at most: Strike 1: Debatable as he had two robberies in 1992 without any weapons convictions, released on Parole in October 1995. Strike 2: 2 robberies (12/95 & 3/8/1996) with 1 companion use of firearm offense, not at liberty between offenses. Recommendation: Restore Parole Eligibility.¹⁸³⁰

Speight's discretionary parole eligibility under § 53.1-151(B1) was restored later in 2018 in a letter signed by Chair Bennett. For the reasons more fully stated in Section V of this report, the restoration of Speight's discretionary parole eligibility was unlawful.

On September 10, 2019, VPB member A. Lincoln James voted against granting Speight discretionary parole, citing the following reasons: "Extensive criminal record; Your prior failure(s) and/or convictions while under community supervision indicate that you are unlikely to comply with conditions of release."¹⁸³¹ On September 26, 2019, member Linda Bryant voted to grant Speight parole.¹⁸³² On October 29, 2019, member Sherman Lea voted to grant Speight parole.¹⁸³³ On November 22, 2019, member Kemba Pradia cast the final necessary vote to grant Speight parole.¹⁸³⁴ VPB records list the "Decision Date" in Speight's case as "11/22/2019."¹⁸³⁵ No victim research or contact information appears in VPB records until February 2020.¹⁸³⁶

On February 3, 2020, Victim Input Coordinator Lisa Bowen placed a note in Speight's CORIS file stating "VICTIM RESEARCH - No registered victims in VINE. Parole violator with new robbery charges in Chesapeake. Sent information to Chesapeake V/W office for help with victim contact information."¹⁸³⁷ On February 18, 2020, Bowen input a follow-up note stating "VICTIM RESEARCH COMPLETE - No response received from Chesapeake V/W office. No further research is necessary. Ready to certify."¹⁸³⁸

On March 30, 2020, Chair Adrienne Bennett input two duplicate notes stating "Ready to Certify."¹⁸³⁹ VPB certified its decision to grant Speight discretionary parole on March 31, 2020.¹⁸⁴⁰ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Virginia Beach Commonwealth's Attorney's Office on April 6, 2020; that office received the notification on April 10, 2020.¹⁸⁴¹ Speight was released from Haynesville Correctional Center on April 17, 2020.¹⁸⁴²

F. Violations of Law

VPB's decision to grant Keith Speight discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Speight's multiple robbery victims before casting the necessary votes to release him on discretionary parole.

VPB's decision to grant Speight discretionary parole also violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Virginia Beach Commonwealth's Attorney's Office at least 21 business days prior to Speight's release.

Release of Kerry Pope

A. Sentencing Information

Kerry Pope committed possession of cocaine with intent to distribute (accommodation) on July 28, 1988, receiving a sentence of two years with one year and ten months suspended in Alexandria Circuit Court.¹⁸⁴³ On March 2, 1989, Pope received an eight-year sentence from the Alexandria Circuit Court for another offense of possession of cocaine with intent to distribute.¹⁸⁴⁴ The Alexandria Circuit Court imposed the remainder of Pope's original 2-year sentence on April 20, 1989.¹⁸⁴⁵ Pope was released on parole on June 20, 1990.¹⁸⁴⁶

Pope was arrested as a parole violator on April 27, 1992.¹⁸⁴⁷ On September 4, 1992, 21-year-old Pope was sentenced in Fairfax Circuit Court for two abductions, two robberies, two counts of use of a firearm, and maiming.¹⁸⁴⁸ Pope received six- and eight-year sentences for the abductions, 20- and 30-year sentences for robberies, two- and four-year sentences for use of a firearm, and 20 years for maiming.¹⁸⁴⁹ His total active sentence was 100 years.¹⁸⁵⁰

B. Facts of Parole-Eligible Offenses

On April 24, 1992, the assistant manager of a Peoples Drug Store in Fairfax arrived at work at 5:15 a.m. to restock inventory.¹⁸⁵¹ Sometime after 8:00 a.m., the manager heard a knock on the front door of the store.¹⁸⁵² He went to the door and saw two men.¹⁸⁵³ He recognized the taller man, Kerry Pope, as an employee of Peoples who also worked with inventory.¹⁸⁵⁴ The other man falsely claimed that he was there to do an inventory walkthrough at the instruction of a Peoples manager.¹⁸⁵⁵ The assistant manager let the two men into the store and explained what they needed to do for the walkthrough, and Pope's codefendant then asked to use the phone at the front desk.¹⁸⁵⁶

Pope then grabbed the manager by the back of the neck and the codefendant put a

semiautomatic handgun to his back.¹⁸⁵⁷ Pope told the victim that it was a hold up and told him to go to the office.¹⁸⁵⁸ The victim told the men that the keys were in the back of the store, and they retrieved the keys.¹⁸⁵⁹ Once in the office, Pope and his codefendant told the victim to open the safe.¹⁸⁶⁰ The victim opened the safe and Pope took out the cash drawers and put the cash into a bag.¹⁸⁶¹ The shorter man left the office and returned with some packaging tape.¹⁸⁶² The victim's hands and legs, and face were taped; the men put a sock in his mouth, and the victim then felt his throat being cut and began to struggle.¹⁸⁶³ His throat was cut again and he was kicked.¹⁸⁶⁴ Pope then stabbed the victim repeatedly in the upper left chest and back.¹⁸⁶⁵ At this time, a female employee arrived; Pope's codefendant opened the door, brandished the gun, and told the woman to go to the office.¹⁸⁶⁶ When she got to the office, she saw the male victim lying on the floor bleeding; she was bound with tape and placed on the floor.¹⁸⁶⁷ A gold necklace with charms was then torn from around her neck.¹⁸⁶⁸ She could see through the tape and observed Pope stab the male again.¹⁸⁶⁹ After the men left, the woman freed herself and summoned help.¹⁸⁷⁰ The male was taken to the hospital and treated for 22 knife wounds and a punctured lung.¹⁸⁷¹

C. Prior Criminal History and Institutional Discipline

Before his cocaine distribution and robbery/abduction/maiming convictions, Pope was convicted of destruction of property.¹⁸⁷² Pope committed 30 institutional infractions while incarcerated, including possessing equipment to manufacture intoxicants, two instances of being under the influence of drugs, refusing a drug test, and tampering with security devices.¹⁸⁷³

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Pope on February 18, 2020 at Lawrenceville Correctional Center.¹⁸⁷⁴ Pope had been eligible for parole since 2001 and had never been recommended for release.¹⁸⁷⁵ Pope admitted that he had told the examiner an elaborate lie in his previous year's interview when he denied stabbing his victim and blamed most of the criminal acts on his codefendant.¹⁸⁷⁶ Pope complained to the examiner that when he was arrested for the hostage robbery and stabbing three days after the fact, "it was the worst day of his life."¹⁸⁷⁷ Pope told the examiner that he lied to her last year "because he was a coward and because he was "not feeling" the interview."¹⁸⁷⁸ Pope admitted that he stabbed his victim to show his codefendant that he was tough, that he and the codefendant were in it together, and to prove that he would not snitch.¹⁸⁷⁹

Pope told the examiner that he was a cocaine and PCP user on the streets.¹⁸⁸⁰ Pope admitted that he was high on crack cocaine during the hostage robbery and stated he was using crack cocaine three times daily at that time.¹⁸⁸¹

Pope also told the examiner that there was a lot of racial tension going on back when he committed the hostage robbery and stabbing.¹⁸⁸² Pope admitted that this hatred affected him but claimed he had never previously acknowledged it.¹⁸⁸³ Pope volunteered that the Rodney King incident was not fair and that racism affected him.¹⁸⁸⁴ The examiner then asked Pope if his victims were white, and he stated that they were.¹⁸⁸⁵ The examiner noted that Pope "almost made it sound as if his crime was a hate crime."¹⁸⁸⁶ The parole examiner recommended against releasing Pope.¹⁸⁸⁷

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB records contain no information indicating that victim research or contact was attempted before voting began on Pope's case.¹⁸⁸⁸ In an email on April 30, 2020, Chair Tonya Chapman asked Victim Input Coordinator Lisa Bowen "Can you verify if victim notification was

made in this case?” Bowen replied on May 1, 2020, “There’s a note in the victim module in CORIS that the local victim witness office confirmed the victim passed away in 2012. L.” Although the female victim of Pope’s hostage robbery was deceased, VPB was unaware before voting began. The information was discovered by a VADOC Victim Services Unit employee on April 29, 2020; VPB played no role.¹⁸⁸⁹ VPB made no other efforts to contact Pope’s stabbing victim.¹⁸⁹⁰

VPB took four appointments with Pope’s supporters in March 2019, February 2018, April 2011, and April 2007; VPB also received a support letter on Pope’s behalf in March 2019.¹⁸⁹¹

VPB member Kemba Pradia voted to grant Pope discretionary parole on March 24, 2020.¹⁸⁹² Member Sherman Lea voted to grant Pope parole on March 27, 2020.¹⁸⁹³ Member A. Lincoln James cast the final necessary vote to grant Pope parole on March 30, 2020.¹⁸⁹⁴ VPB records list the “Decision Date” in Pope’s case as “03/30/2020.”¹⁸⁹⁵ VPB certified its decision to grant Pope parole on March 31, 2020.¹⁸⁹⁶ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Alexandria and Fairfax Commonwealth’s Attorney’s Offices on April 3, 2020.¹⁸⁹⁷ A return receipt indicated that the Alexandria Commonwealth’s Attorney’s Office received the notification on April 13, 2020; the Fairfax Commonwealth’s Attorney’s Office executed and returned to VPB an undated return receipt.¹⁸⁹⁸ Pope was released from Lawrenceville Correctional Center on May 13, 2020.¹⁸⁹⁹

F. Violations of Law

VPB’s decision to grant Kerry Pope parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact each of the multiple victims of Pope’s parole-eligible felony offenses before voting to release Pope.¹⁹⁰⁰

Release of Kevin Maxwell

A. Sentencing Information

On August 7, 2016 in Chesapeake, 17-year-old Kevin Maxwell committed two counts of armed robbery and one count of brandishing a firearm.¹⁹⁰¹ On December 14, 2018, Maxwell was sentenced in Chesapeake Circuit Court to 10 years suspended on each robbery conviction and 12 months in jail on the firearm conviction, conditioned on completion of the youthful offender program and a maximum commitment of 4 years to VADOC.¹⁹⁰²

B. Facts of Parole-Eligible Offenses

The narrative of Kevin Maxwell’s codefendant Jalen Williams, reported above, contains a full description of Maxwell’s offense.

C. Prior Criminal History and Institutional Discipline

At the time of his Chesapeake robbery, Maxwell had a pending charge of felony embezzlement in Hanover General District Court.¹⁹⁰³ Maxwell later pled guilty to misdemeanor embezzlement in 2019.¹⁹⁰⁴ Maxwell had no institutional infractions while incarcerated.¹⁹⁰⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Maxwell on February 3, 2020 at Indian Creek Correctional Center.¹⁹⁰⁶ The examiner noted Maxwell’s remorse for his crime and the trauma he caused to his victims.¹⁹⁰⁷ The examiner also noted that a COMPAS recidivism assessment conducted in January

2020 rated Maxwell as a medium risk for violent recidivism.¹⁹⁰⁸ The examiner recommended that Maxwell be granted parole.¹⁹⁰⁹

E. Parole Board Deliberations and Victim and Prosecutor Contact

On December 6, 2019, Chair Adrienne Bennett placed the following note in Maxwell's CORIS file:

I met this YO on 12/5/2019 while out at Indian Creek. He advise (sic) he had been in the YO program for 10 months and is nearing completion of the program. His time has not been calculated (no maxMPRD) therefore, CORIS will not populate him for a parole interview. Email was sent today to Jim Parks with Lachelle Naar (chief of housing and programs) copied requesting that his time be calculated so that he can be scheduled for a parole interview.¹⁹¹⁰

On February 3, 2020, VPB member Linda Bryant voted to grant Maxwell discretionary parole.¹⁹¹¹ On March 11, 2020, member Kemba Pradia voted to grant Maxwell parole.¹⁹¹² On March 26, 2020, member A. Lincoln James cast the final necessary vote to grant Maxwell parole.¹⁹¹³ VPB records list the "Decision Date" in Maxwell's case as "03/26/2020."¹⁹¹⁴

VPB documented no efforts to contact Maxwell's victims to inform them that *Maxwell* was receiving parole consideration, instead claiming reliance on the victim research that had been performed for the codefendant, Jalen Williams.¹⁹¹⁵ Chair Adrienne Bennett placed the following note in Maxwell's CORIS file on March 30, 2020, which is the only note regarding victim research or contact: "Ready to Certify. Victim research completed for Co-Defendant 1844180 Jalen Williams (who was also certified today)."¹⁹¹⁶

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Chesapeake Commonwealth's Attorney's Office on April 1, 2020; that office received the notification, but a return receipt was undated.¹⁹¹⁷ Maxwell was released from Indian Creek Correctional Center on May 11, 2020.¹⁹¹⁸

F. Violations of Law

VPB's decision to grant Kevin Maxwell discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to endeavor diligently to contact Maxwell's victims about *Maxwell's* release prior to making any decision to release him.

Release of Lamont Willingham

A. Sentencing Information

16-year-old Lamont Willingham was originally sentenced on September 5, 1990 in Virginia Beach Circuit Court for two counts of robbery and two counts of use of a firearm in the commission of robbery that he committed in November 1989.¹⁹¹⁹ Willingham was next sentenced on January 30, 1991 in Norfolk Circuit Court for two counts of robbery, two counts of attempted robbery, one count of larceny from the person, and four counts of use of a firearm while committing or attempting to commit robbery.¹⁹²⁰

For his Virginia Beach convictions, Willingham was sentenced to 32 years: 15 years for each robbery and two years for each firearm conviction.¹⁹²¹ For his Norfolk convictions, Willingham was sentenced to five years for each robbery, two years for each attempted robbery,

one year for larceny, and four years for each firearm charge.¹⁹²² Some sentences ran concurrently, resulting in a 44-year active sentence.¹⁹²³

Willingham was released on parole on July 9, 2004.¹⁹²⁴ Willingham was charged with violating his parole three times between 2004 and 2009 but was continued on parole without being violated each time.¹⁹²⁵ Willingham's parole was revoked upon his admission to a fourth violation on January 13, 2009 for failing to report to his parole officer for several months.¹⁹²⁶ The parole examiner noted at Willingham's parole revocation hearing that Willingham "has shown by his actions that he does not appreciate the opportunity to remain in society. It appears that he has no intention of complying with community supervision."¹⁹²⁷

Willingham was granted parole again in May 2014 and revoked again in March 2018 for failing to report to his parole officer and testing positive for illegal drugs.¹⁹²⁸

B. Facts of Parole-Eligible Offenses

On November 8, 1989, the 68-year-old female victim [REDACTED] was driving home from the grocery store, and Willingham followed her in a stolen vehicle.¹⁹²⁹ The victim pulled into her driveway and was approached by Willingham's codefendant, who put a gun to her head and told her to slide over, saying that he would kill her.¹⁹³⁰ The codefendant could not operate the manual transmission in the victim's vehicle, so Willingham told the victim to get out of the vehicle and then drove it away, with the codefendant following in the other stolen car.¹⁹³¹ Willingham also took the victim's purse, which contained \$390.¹⁹³²

On November 9, 1989, [REDACTED] returned to her home at 2:00 a.m.¹⁹³³ As she left her car, Willingham approached her, leading to a struggle during which Mrs. [REDACTED] refused to relinquish her purse.¹⁹³⁴ Willingham then fired several shots into the air and left in a waiting car.¹⁹³⁵

On November 11, 1989 at approximately 11:45 p.m., [REDACTED] and her husband drove into the driveway of their home.¹⁹³⁶ They were approached by Willingham and another male.¹⁹³⁷ One of the men attempted to grab her purse; the second man went to Mr. [REDACTED] and demanded his wallet, however, Mr. [REDACTED] would not give him his wallet.¹⁹³⁸ The man confronting Mrs. [REDACTED] had a pistol, therefore, she relinquished her purse containing food stamps, \$155, and a telephone card.¹⁹³⁹ Later, Willingham's codefendant, David Moore, used a card stolen from Mrs. [REDACTED] to make calls from his parents' home.¹⁹⁴⁰

On November 21, 1989, at 11:30 p.m., [REDACTED] and [REDACTED] were returning to their home.¹⁹⁴¹ They had just been to the grocery store, and while unloading groceries, they were confronted by three men, including Willingham, armed with a handgun and demanding Mr. [REDACTED]'s wallet.¹⁹⁴² Mr. [REDACTED] gave up his wallet, which contained a telephone card and \$5.¹⁹⁴³ Another man took Mrs. [REDACTED]'s purse, which contained \$40.¹⁹⁴⁴

On December 6, 1989, 49-year-old [REDACTED] pulled into his driveway in Virginia Beach and saw Willingham with a gun.¹⁹⁴⁵ Mr. [REDACTED] attempted to run, but Willingham grabbed the back of his jacket.¹⁹⁴⁶ Mr. [REDACTED] tried to reach for a gun in his pocket, but Willingham took the victim's gun and wallet, which contained credit cards.¹⁹⁴⁷

C. Prior Criminal History and Institutional Discipline

Willingham's prior criminal record includes adjudications for larceny from the person, six counts of credit card forgery, three counts of credit card fraud, and three probation violations.¹⁹⁴⁸

Willingham began committing the above-described robberies within two weeks of his release from intensive probation supervision.¹⁹⁴⁹

Willingham committed 52 institutional infractions while incarcerated, including 13 instances of possession of contraband.¹⁹⁵⁰ Willingham's infractions occurred between 1991 and 2011, with the majority falling between 1991 and 1999.¹⁹⁵¹

D. Parole Examiner Interview and Recommendation

Willingham was interviewed by a parole examiner on March 5, 2019 at Baskerville Correctional Center.¹⁹⁵² The examiner noted that Willingham's most recent COMPAS recidivism assessment resulted in an overall score of medium and a high risk for violent recidivism.¹⁹⁵³ The examiner noted that "Prognosis for this offenders (sic) release should be structured to say the least and carefully supervised as this offender has been with this writer in a previous incarceration."¹⁹⁵⁴

The examiner recommended that Willingham not be granted parole, noting that Willingham's "recent COMPAS assessment indicates continued risk to the community."¹⁹⁵⁵

E. Parole Board Deliberations and Victim and Prosecutor Contact

On March 5, 2019, VPB employee Laura Hall noted that one of Willingham's supporters had a "board appointment" with Vice-Chair Jean Cunningham.¹⁹⁵⁶ The supporter stated that she would "make sure [Willingham] attends all necessary appointments with parole officers and drug programs."¹⁹⁵⁷ VPB notes contain no documentation of attempts to locate or contact the victims of any of Willingham's offenses at any time.¹⁹⁵⁸

VPB members voted on Willingham's case between April 29, 2019 and July 5, 2019.¹⁹⁵⁹ On April 29, 2019, member Jean Cunningham voted against releasing Willingham.¹⁹⁶⁰ On May 1, 2019, Chair Adrienne Bennett voted to grant Willingham discretionary parole.¹⁹⁶¹ On May 29, 2019, member Linda Bryant voted to grant Willingham parole.¹⁹⁶² On July 5, 2019, member Sherman Lea provided the final necessary vote to grant Willingham parole.¹⁹⁶³ VPB records list the "Decision Date" in Willingham's case as "07/05/2019."¹⁹⁶⁴

On August 1, 2019, VPB Victim Input Coordinator noted the following "VICTIM RESEARCH COMPLETE - No victims in VINE/CORIS. Offender is a parole violator. No further research is necessary. Ready to certify."¹⁹⁶⁵

An April 6, 2020 note from VPB employee Crystal Noakes referenced Lisa Bowen's August 1, 2019 note: "No victims to notify of pending discretionary parole on 4.21.20. Noted in CORIS by L. Bowen."¹⁹⁶⁶ VPB certified its decision to grant Willingham parole on March 30, 2020.¹⁹⁶⁷ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk and Virginia Beach Commonwealth's Attorney's Offices on March 31, 2020; return receipts indicated that those offices received the letters on April 3, 2020.¹⁹⁶⁸ Willingham was released from Rustburg Correctional Unit on April 12, 2020.¹⁹⁶⁹

F. Violations of Law

VPB's decision to grant Lamont Willingham parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of Willingham's multiple armed robberies.¹⁹⁷⁰ Following Willingham's release, the Virginia Beach Commonwealth's Attorney's Office Victim/Witness program provided the identities and contact information for three of

Willingham's victims.¹⁹⁷¹

VPB further violated Va. Code § 53.1-136(3)(c) twice by failing to notify the Virginia Beach and Norfolk Commonwealth's Attorneys of its decision to grant Willingham parole at least 21 business days prior to Willingham's release.

Release of Larry Neal

A. Sentencing Information

Then-20-year-old Larry Neal committed first-degree murder, burglary, and grand larceny on June 22, 1982 in Petersburg; he committed an additional forgery offense in Petersburg the next day.¹⁹⁷² Neal was sentenced in Petersburg Circuit Court on November 2, 1982 to 60 years for murder, 15 years with five suspended for burglary, 2 years for grand larceny, and ten years with five suspended for forgery.¹⁹⁷³ Neal's total active sentence was 77 years.¹⁹⁷⁴

B. Facts of Parole-Eligible Offenses

On June 22, 1982, at approximately 9:20 p.m., Neal randomly selected a residence to break into.¹⁹⁷⁵ He rang the doorbell 4 times, and after no one answered, he went to the back and saw a window partially opened.¹⁹⁷⁶ Neal climbed through the window, saw that the 72-year-old female occupant was watching television in another room, and Neal waited until she went to her bedroom and heard her bed squeak.¹⁹⁷⁷ He went into the bedroom and killed the woman by smothering her with a pillow.¹⁹⁷⁸ Neal then stole a bankbook and \$16 in cash.¹⁹⁷⁹ The next morning, a witness found the victim deceased and partially unclothed in her bed.¹⁹⁸⁰ The bedroom was in disarray and multiple items had been moved.¹⁹⁸¹ A handprint on the windowsill was later matched to Neal, and the victim's cause of death was determined to be asphyxiation.¹⁹⁸²

C. Prior Criminal History and Institutional Discipline

Neal was adjudicated delinquent as a juvenile for multiple burglaries, destruction of property, robbery, shoplifting, petit larceny, and possession of burglarious tools.¹⁹⁸³ Neal was convicted of burglary in 1979, and he was released on mandatory parole supervision in 1981.¹⁹⁸⁴ Neal remained under mandatory parole supervision when he committed murder in 1982.¹⁹⁸⁵

Neal committed 25 institutional infractions while incarcerated, including eight assaults, four instances of possession of contraband, possession of two weapons, and setting a fire.¹⁹⁸⁶

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Neal at Deerfield Correctional Center on January 31, 2020.¹⁹⁸⁷ This was Neal's 24th parole interview, and no parole examiner had previously recommended him for release on parole.¹⁹⁸⁸ Neal told the examiner that he had pled guilty to his murder offense, and stated that he did not know the victim and that it was a random act.¹⁹⁸⁹ The examiner recommended against releasing Neal.¹⁹⁹⁰

E. Parole Board Deliberations and Victim and Prosecutor Contact

Victim Input Coordinator Lisa Bowen placed a note in the VPB file on May 20, 2019 reading as follows:

VICTIM RESEARCH - There are no registered victims in VINE/CORIS. The PSI

indicates the murder victim is [REDACTED]. I was able to locate her in the database. She has no relatives in her relative report. The date of death is [REDACTED]. No victim input in the summary report. No contact made with Petersburg V/W. Offender is still in voting.¹⁹⁹¹

No additional information about the victim's family was made available as voting on Neal's case began. On February 18, 2020, member A. Lincoln James voted against releasing Neal, citing "release at this time would diminish seriousness of crime" and "extensive criminal record."¹⁹⁹² On March 11, 2020, member Kemba Pradia voted to grant Neal parole.¹⁹⁹³ On March 25, 2020, member Sherman Lea voted to release Neal.¹⁹⁹⁴ The same day, member Linda Bryant cast the final necessary vote to release Neal.¹⁹⁹⁵ VPB records list the "Decision Date" in Neal's case as "03/25/2020."¹⁹⁹⁶ Chair Adrienne Bennett input a note stating "Ready to certify" on March 31, 2020, and VPB certified its decision to grant Neal parole the same day.¹⁹⁹⁷ Also on March 31, 2020, Victim Input Coordinator Lisa Bowen input a note reading "VICTIM RESEARCH - No registered victims in VINE. I found the murder victim [REDACTED] in the death record database. She has no relatives in her report. No further research is necessary. Ready to certify."¹⁹⁹⁸

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Petersburg Commonwealth's Attorney's Office on April 3, 2020; that office received the notification on April 12, 2020.¹⁹⁹⁹ Neal was released from Deerfield Correctional Center on May 1, 2020.²⁰⁰⁰

F. Violations of Law

No violations found.

Release of Linwood Chandler

A. Sentencing Information

On November 14, 1983, Linwood Chandler committed grand larceny from a bank in Halifax County. He was sentenced to 20 years in prison in Halifax Circuit Court on May 23, 1984. Chandler served eight years of the 20 imposed and was released on discretionary parole in 1991.²⁰⁰¹ Chandler was immediately taken into custody by the federal government on a detainer, and he was released from federal custody in 1992.²⁰⁰² On March 31, 1993, while on parole, 45-year-old Chandler committed first-degree murder and use of a firearm in the commission of murder.²⁰⁰³ Chandler pled not guilty and demanded a jury trial, and he was convicted as charged.²⁰⁰⁴ He was sentenced in Virginia Beach Circuit Court on June 1, 1994 to life in prison for murder and two years for use of a firearm.²⁰⁰⁵

B. Facts of Parole-Eligible Offenses

On the night of March 31, 1993, Chandler entered a "nip joint" house in Virginia Beach, went to the refrigerator, took a beer from the refrigerator, and began drinking it without paying.²⁰⁰⁶ The victim, [REDACTED], was playing cards with several other people.²⁰⁰⁷ The victim and Chandler argued about Chandler drinking the beer without paying for it.²⁰⁰⁸ Chandler subsequently apologized and paid for the beer; he then left the residence.²⁰⁰⁹ Chandler returned to the house, pulled out a shotgun from a three-quarter length coat, and fired 2 shots, killing the victim.²⁰¹⁰ The first round struck the victim in the shoulder and arm; the second shot struck the victim in the back.²⁰¹¹ Chandler then fled the scene.²⁰¹²

C. Prior Criminal History and Institutional Discipline

Chandler's criminal history began at age 14, including convictions for grand larceny, statutory burglary, petit larceny, forgery, uttering, interstate transportation of forged securities, assault with deadly weapon and larceny from a bank teller.²⁰¹³ Chandler committed 25 institutional infractions while incarcerated, including tampering with security devices, two instances of possession of contraband, possession of a weapon, possession of equipment to manufacture intoxicants, two instances of possession of intoxicants, destroying state property, and assault.²⁰¹⁴

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Chandler on February 5, 2020 at Nottoway Correctional Center.²⁰¹⁵ Chandler stated that his problem in the past was gravitating to the street life and choosing that over family and church.²⁰¹⁶ Chandler also told the examiner that his release in 1991 "came too easy as I won a lawsuit against the state and did not realize I was not ready and I did not realize how deranged I was until the night of my crime."²⁰¹⁷ According to Chandler, except for his bank theft and this murder, most if not all of his crimes were mischievous acts, nothing serious.²⁰¹⁸ The parole examiner recommended against releasing Chandler, as had each of the prior 16 examiners who interviewed him.²⁰¹⁹

E. Parole Board Deliberations and Prosecutor and Victim Contact

On March 22, 2020, VPB member Linda Bryant emailed Victim Input Coordinator Lisa Bowen stating "Hi Lisa, can you do victim research on Linwood Chandler, 1033199? I just voted to grant him."²⁰²⁰ Bowen replied the next day:

Hello there: There are no registered victims in VINE. The murder victim is [REDACTED]. I was not able to locate him in the database using address and name information from the PSI. I am sending this information to Virginia Beach V/W to see if they have information. The date of the homicide March 1993 makes it a long shot. I will place this information in CORIS.²⁰²¹

Bryant's vote to grant Chandler discretionary parole was recorded on March 24, 2020.²⁰²² Member Kemba Pradia and Chair Adrienne Bennett voted to grant Chandler parole the same day.²⁰²³ Member A. Lincoln James cast the final necessary vote to grant Chandler parole on March 30, 2020.²⁰²⁴ VPB records list the "Decision Date" in Chandler's case as "03/30/2020."²⁰²⁵ On March 31, 2020, Chair Adrienne Bennett input a note stating "Ready to certify,"²⁰²⁶ and VPB certified its decision to grant Chandler parole the same day.²⁰²⁷ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Halifax and Virginia Beach Commonwealth's Attorney's Offices on April 3, 2020; return receipts indicated that the Halifax Commonwealth's Attorney received the notification on April 16, 2020, and the Virginia Beach Commonwealth's Attorney received the notification on April 10, 2020.²⁰²⁸ Chandler was released from Nottoway Correctional Center on May 11, 2020.²⁰²⁹

OAG later received information from the Virginia Beach Commonwealth's Attorney's Office Victim/Witness program indicating that the murder victim's wife and son were still living and had not been contacted or notified by the VPB about Chandler's parole release.²⁰³⁰

F. Violations of Law

VPB's decision to grant Linwood Chandler discretionary parole violated Va. Code § 53.1-

155(B), because VPB failed to “endeavor diligently” to contact the surviving family members of Chandler’s murder victim before casting all the necessary votes to release Chandler.

Release of Lonnie Coleman

A. Sentencing Information

Lonnie Coleman was convicted of burglary in Richmond City in 1970 and sentenced to 2 years and 10 months.²⁰³¹ He was released on probation, and while still on supervision in April 1974, he was convicted in Richmond of two counts of uttering a forgery.²⁰³² Coleman was also convicted of a recidivist violation in Richmond and a burglary in Chesterfield in 1974, receiving 11 years in prison.²⁰³³ Coleman was released on parole in September 1977, but he was arrested in January 1978 for rape, forcible sodomy, burglary, and attempted burglary in Chesterfield. In 1979, Coleman was convicted of all four charges and sentenced to 42 years.²⁰³⁴ In 1999, as an inmate, Coleman was convicted of two misdemeanor counts of assault in Mecklenburg General District Court.²⁰³⁵

B. Facts of Parole-Eligible Offenses

On January 25, 1978, Coleman forced entry into a home in Chesterfield and went upstairs to where the female victim was sleeping.²⁰³⁶ Coleman awakened the victim by pulling the sheets off her bed.²⁰³⁷ Coleman then forced the victim to go downstairs by telling her that he had a gun.²⁰³⁸ The victim felt metal against her arm, and she complied.²⁰³⁹ Coleman began to take the victim’s undergarments off and told her to finish.²⁰⁴⁰ Coleman then groped the victim and forced her to have sex with him 3 times against her will.²⁰⁴¹ At the time, Coleman confessed to having “consensual sex” with the victim, but he claimed that he did not rape her.²⁰⁴² In an 1996 parole interview, Coleman admitted that he raped the woman, stating that he knew her and just wanted to break into her home, but she happened to be there, so he decided to rape her.²⁰⁴³

C. Prior Criminal History and Institutional Discipline

Coleman has prior misdemeanor convictions that include petit larceny.²⁰⁴⁴ Between 1980 and 2019, Lonnie Coleman committed 332 institutional infractions. These infractions included:

- 36 instances of indecent exposure
- 26 assaults
- 26 instances of property damage
- 45 instances of delaying or hindering an employee in the performance of their duty
- 16 instances of threatening bodily harm
- 15 instances of possession of contraband
- 8 instances of possession of intoxicants
- 3 instances of being under the influence of unauthorized drugs
- 2 instances of tampering with security materials
- 2 instances of stealing
- 2 instances of possession of unauthorized drugs
- 2 instances of setting a fire
- Gathering in a threatening manner
- Committing a lewd/obscene act
- Fighting
- Refusal to submit to a drug test

- Intentionally flooding an area²⁰⁴⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Coleman on March 5, 2019 at Lawrenceville Correctional Center.²⁰⁴⁶ After the interview, Coleman incurred an institutional infraction for being under the influence of drugs on July 29, 2019.²⁰⁴⁷ This infraction is not reported in VPB records.²⁰⁴⁸ The examiner noted how Coleman denied committing the rape he was convicted of, but admitted to committing the burglaries in the area in which the rape occurred.²⁰⁴⁹ Coleman stated that he planned to spend time with family and give back to the community if released.²⁰⁵⁰ The examiner recommended that Coleman be released.²⁰⁵¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

Between 2007 and 2019, VPB noted two instances of support for Coleman and took three meetings with his supporters.²⁰⁵² No information regarding victim research or contact appears in VPB files until August 2019.²⁰⁵³

On April 18, 2019, Vice-Chair Jean Cunningham voted to grant Coleman discretionary parole.²⁰⁵⁴ On April 20, 2019, member Linda Bryant input a CORIS note stating that she had initiated a request for a sexually violent predator screening.²⁰⁵⁵ On June 19, 2019, Chair Adrienne Bennett voted to grant Coleman parole.²⁰⁵⁶ Bennett input a note the same day stating that the sexually violent predator screening was complete, and no further review was required.²⁰⁵⁷ On July 5, 2019, member Linda Bryant cast the final necessary vote to grant Coleman parole.²⁰⁵⁸ VPB records list the “Decision Date” in Coleman’s case as “07/05/2019.”²⁰⁵⁹

After voting was complete, on August 1, 2019, Victim Input Coordinator Lisa Bowen input the following note:

VICTIM RESEARCH COMPLETE - No victims in VINE/CORIS. The rape victim was located in the database. There is no current address information and the database states the SSN belongs to [REDACTED]. Richmond V/W does not have information prior to 2001. The crime took place in January 1978. No further research is necessary. Ready to certify.²⁰⁶⁰

On March 29, 2020, Chair Bennett input a note stating “Ready to Certify.”²⁰⁶¹ VPB certified its decision to grant Coleman discretionary parole on March 30, 2020.²⁰⁶² VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Chesterfield and Richmond City Commonwealth’s Attorneys’ Offices on March 31, 2020; the Richmond office received the notification on April 3, 2020, and the Chesterfield office received the notification on April 6, 2020.²⁰⁶³ Coleman was released from Lawrenceville Correctional Center on April 6, 2020.²⁰⁶⁴

F. Violations of Law

VPB’s decision to grant Lonnie Coleman discretionary parole violated Va. Code § 53.1-155(B), because VPB documented no efforts to contact Coleman’s rape victim until after all three voting members had voted to release him.

VPB’s decision to grant Coleman discretionary parole further constituted 2 violations of Va. Code § 53.1-136(3)(c), because VPB failed to notify the Chesterfield and Richmond City prosecutors’ offices at least 21 business days prior to Coleman’s release.

Release of Mark Dixon

A. Sentencing Information

On June 30, 1989, 26-year-old Mark Dixon committed first-degree murder and use of a firearm in the commission of a felony.²⁰⁶⁵ On January 26, 1990 in Fairfax County Circuit Court, Dixon was sentenced to life in prison for murder and two years for use of a firearm.²⁰⁶⁶

B. Facts of Parole-Eligible Offenses

In the early morning of June 30, 1989, [REDACTED], his brother, and his cousin saw Mark Dixon and another individual in a car in their neighborhood in Reston.²⁰⁶⁷ [REDACTED] and his relatives did not know Dixon or the other man, and [REDACTED] approached the car to see what they were doing.²⁰⁶⁸ One of the car's occupants said that he was visiting his girlfriend in a nearby apartment.²⁰⁶⁹ The victim then made some unfriendly comments and the vehicle left the scene.²⁰⁷⁰ Later, Dixon and the other man returned to the area and drove past [REDACTED], his brother, and his cousin as they sat near some basketball courts.²⁰⁷¹ The vehicle drove past them, did a U-turn, and stopped in the middle of the road.²⁰⁷² [REDACTED] walked over to the car with his brother and cousin following behind.²⁰⁷³ One of the men in the car asked why they had given him a hard time and began shouting. Dixon then produced a firearm and shot [REDACTED], firing several additional shots at [REDACTED]'s fleeing brother and cousin.²⁰⁷⁴ Dixon and the other man then sped off.²⁰⁷⁵

After the shooting, [REDACTED] ran several yards before collapsing and dying.²⁰⁷⁶ Police recovered six spent .22 shell casings at the scene.²⁰⁷⁷ A .22 caliber bullet was removed from the victim's body, and the weapon used in the offense, a .22 caliber semiautomatic rifle, was found in the trunk of the vehicle from which Dixon had fired the shots.²⁰⁷⁸ Dixon later told police that he was upset by the three males.²⁰⁷⁹ He admitted that when he encountered these individuals on a second occasion that evening, he wanted to let them know that "they aren't to be messed with."²⁰⁸⁰ Dixon admitted that he shot the victim in the chest, and that he did not see a weapon in the victim's possession.²⁰⁸¹ Dixon stated that the victim "got what he deserved" for allegedly reaching for a weapon, although the victim had no weapon and Dixon did not see one.²⁰⁸² Dixon also admitted that he shot at the victim's brother and cousin simply because they were with the victim.²⁰⁸³

C. Prior Criminal History and Institutional Discipline

In 1983, Dixon was convicted of larceny, assault on a police officer, and resisting arrest in Baltimore, MD, receiving a probation sentence.²⁰⁸⁴ Dixon had no institutional infractions while incarcerated.²⁰⁸⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Dixon for the 17th time on December 4, 2019 at Greensville Correctional Center.²⁰⁸⁶ The examiner noted Dixon's strong institutional record of employment, programming, and family support.²⁰⁸⁷ The examiner recommended that Dixon be released.²⁰⁸⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB took two meetings and received one letter from Dixon's supporters during his parole eligibility.²⁰⁸⁹ VPB noted initial unsolicited opposition from the sister of Dixon's victim on June 11, 2018.²⁰⁹⁰ The same day, the victim's brother called VPB to register his strong opposition to parole.²⁰⁹¹ The next day, the victim's other sister called VPB to register her opposition to parole.²⁰⁹²

Dixon's mother, father, and two sisters met with VPB on July 10, 2018 to state their opposition to parole in person.²⁰⁹³ In December 2018, the victim's brother and sister again called VPB to state their opposition to parole.²⁰⁹⁴

On June 18, 2019, Victim Input Coordinator Lisa Bowen noted that one of the victim's sisters called VPB stating that she now did not oppose Dixon's release, but that she did not speak for the rest of the family.²⁰⁹⁵ VPB made no other efforts to contact the victim's family members until after Dixon had been granted parole.²⁰⁹⁶

On February 6, 2020, VPB member Kemba Pradia and Chair Adrienne Bennett voted to grant Dixon discretionary parole.²⁰⁹⁷ The same day, VPB member A. Lincoln James voted against granting Dixon parole.²⁰⁹⁸ On March 16, 2020, VPB members Sherman Lea and Linda Bryant cast the final necessary votes to grant Dixon parole.²⁰⁹⁹ VPB records list the "Decision Date" in Dixon's case as "03/16/2020."²¹⁰⁰ On March 31, 2020, Chair Adrienne Bennett posted a note in Dixon's CORIS file stating "Ready to Certify. Registered victim and a lot of victim input over the years."²¹⁰¹ VPB certified its decision to grant Dixon parole the same day.²¹⁰²

On April 10, 2020, Victim Input Coordinator Lisa Bowen input a note in CORIS stating "VICTIM NOTIFICATION - Anonymous phone number in VINE no longer in service. Sent emails to both email addresses in VINE regarding offender's upcoming release on 04/23/2020. Other victims will be notified via letter notification from VINE."²¹⁰³ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Fairfax Commonwealth's Attorney's Office on April 6, 2020; that office received the notification, but a return receipt was undated.²¹⁰⁴ Dixon was released from Greensville Correctional Center on April 23, 2020.²¹⁰⁵

F. Violations of Law

VPB's decision to grant Mark Dixon discretionary parole violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Fairfax Commonwealth's Attorney's Office at least 21 business days prior to Dixon's release.

Release of Maurice Jarvis

A. Sentencing Information

Maurice Jarvis accrued the following parole-eligible convictions and was sentenced on the following dates:²¹⁰⁶

1. Robbery, Hampton Circuit Court, 5 years (August 13, 1987)
2. Forgery, Hampton Circuit Court, 2 years suspended (August 13, 1987)
3. Forgery, Hampton Circuit Court, 2 years suspended (August 13, 1987)
4. Forgery, Hampton Circuit Court, 2 years suspended (August 13, 1987)
5. Uttering a Forged Document, Hampton Circuit Court, 2 years suspended (August 13, 1987)
6. Uttering a Forged Document, Hampton Circuit Court, 2 years suspended (August 13, 1987)
7. Uttering a Forged Document, Hampton Circuit Court, 2 years suspended (August 13, 1987)
8. Trespassing, Hampton General District Court, 12 months suspended (Sept. 21, 1987)
9. Trespassing, Hampton General District Court, 12 months (Jan. 30, 1990)
10. Credit Card Fraud, Hampton General District Court, 12 months suspended (Jan 30, 1990)
11. Grand Larceny, Hampton Circuit Court, 2 years (May 25, 1990)
12. Burglary, Hampton Circuit Court, 5 years (May 25, 1990)

13. Grand Larceny, Hampton Circuit Court, 10 years suspended (Jan. 13, 1995)
14. Petit Larceny, Hampton Circuit Court, 12 months suspended (Jan. 13, 1995)
15. Burglary, Hampton Circuit Court, 10 years suspended (Jan. 13, 1995)
16. Burglary, Hampton Circuit Court, 10 years suspended (Jan. 13, 1995)
17. Unauthorized Use of a Vehicle, Hampton Circuit Court, 30 days (Jan. 3, 1996)
18. Unlawful Entry, Hampton Circuit Court, 12 months suspended (March 10, 1997)
19. Petit Larceny, Hampton Circuit Court, 12 months suspended (March 10, 1997)
20. Carjacking, Hampton Circuit Court, 20 years with 18 suspended (March 10, 1997)
21. Unauthorized Use of a Vehicle, Hampton General District Court, 12 months with nine suspended (December 18, 2003)

B. Prior Criminal History and Institutional Discipline

Jarvis's entire criminal history is summarized above. Jarvis's complete institutional disciplinary history is unavailable, but a parole examiner noted that he committed seven institutional infractions between 2017 and 2019, including stealing, solicitation of staff misconduct, and lying or giving false information to an employee.²¹⁰⁷

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Jarvis on January 16, 2020 at St. Brides Correctional Center.²¹⁰⁸ The examiner noted excellent reports for Jarvis from prison staff and counselors.²¹⁰⁹ Jarvis said that VPB had "only seen me through my failures" and stated that he was "very confident" in himself.²¹¹⁰ The examiner recommended that Jarvis be released on parole.²¹¹¹

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB documented no attempts to contact the victims of Jarvis's robbery, forgery, grand larceny, burglary, or carjacking offenses before voting to grant him parole. VPB member Kemba Pradia voted to grant Jarvis discretionary parole on February 20, 2020.²¹¹² On March 6, 2020, member Linda Bryant voted to grant Jarvis parole.²¹¹³ On March 13, 2020, Victim Input Coordinator Lisa Bowen input a note stating "VICTIM RESEARCH COMPLETE - No registered victims in VINE. Offender is a parole violator. No further research is necessary. Ready to certify."²¹¹⁴ On March 21, 2020, Chair Adrienne Bennett cast the final necessary vote to grant Jarvis parole.²¹¹⁵ VPB records list the "Decision Date" in Jarvis's case as "03/21/2020."²¹¹⁶

On March 31, 2020, Chair Bennett posted two notes in Jarvis's CORIS file stating "Ready to Certify."²¹¹⁷ VPB certified its decision to grant Jarvis parole the same day.²¹¹⁸ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Hampton Commonwealth's Attorney's Office on April 3, 2020; that office received the notification, but a return receipt was undated.²¹¹⁹ Jarvis was released from St. Brides Correctional Center on June 30, 2020.²¹²⁰

E. Adjustment to Parole Supervision

Jarvis was arrested for robbery and attempted malicious wounding in Hampton on January 10, 2021.²¹²¹ He pled guilty to robbery and was sentenced to 10 years with 5 suspended.²¹²² During his parole revocation hearing, he told the violation officer that "I did not remember this act and the details were brought to my attention during the court process."²¹²³ Jarvis also admitted that he "was convicted of robbing a lady who was coming from a hotel in Hampton."²¹²⁴

F. Violations of Law

VPB's decision to grant Maurice Jarvis discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the family of Jarvis's multiple burglary, robbery, and carjacking victims.²¹²⁵

Release of Michael Corp

A. Sentencing Information

On November 29, 1987 in Chesterfield, 20-year-old Michael Corp committed robbery and abduction.²¹²⁶ On July 25, 1988 in Chesterfield Circuit Court, Corp was sentenced to an indeterminate commitment as a youthful offender.²¹²⁷ Following his release, and while still under a suspended sentence for the robbery, Corp committed possession of cocaine on August 28, 1993 in Richmond.²¹²⁸ He received a five-year suspended sentence in Richmond City Circuit Court on January 19, 1994.²¹²⁹ On November 6, 1993 in Richmond, Corp committed second-degree murder and use of a firearm in the commission of a felony.²¹³⁰ He was sentenced to 35 years in prison for murder and three years for use of a firearm in Richmond City Circuit Court on April 8, 1994.²¹³¹

B. Facts of Parole-Eligible Offenses

34-year-old [REDACTED], a close friend of Michael Corp, left home with a family friend intending to go to the store.²¹³² His wife heard a noise out front and opened the door to find her husband lying on the ground, bleeding from the back of the head, having been shot by Michael Corp twice, who then fled.²¹³³ Corp was later arrested and confessed to the killing.²¹³⁴

C. Prior Criminal History and Institutional Discipline

Not including his murder, robbery, and abduction convictions, Corp's criminal history began at age 15, including convictions for destruction of property, curse & abuse, drunk in public, concealed weapon, underage possession of alcohol, and trespass.²¹³⁵ Corp served 20 years of his 38-year murder sentence and was released on mandatory parole in 2013.²¹³⁶ Parole was revoked in 2016 for failing to follow the parole officer's instructions and unauthorized travel.²¹³⁷

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Corp on January 13, 2020 at State Farm Correctional Center.²¹³⁸ Corp told the examiner he was sorry for violating parole, and said he was trying to give VPB reasons to grant him parole.²¹³⁹ Corp complained that VPB was letting many people go, and he wondered "why not him."²¹⁴⁰ Corp agreed that he had broken parole rules but maintained that the punishment was too stiff.²¹⁴¹ The examiner recommended that Corp be granted parole.²¹⁴²

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB documented no effort to contact the family of Corp's murder victim following his parole violation and re-incarceration.²¹⁴³ On January 13, 2020, VPB member Linda Bryant voted to grant Corp discretionary parole.²¹⁴⁴ On February 11, 2020, member A. Lincoln James voted against granting Corp parole, noting the "serious nature and circumstances" of Corp's offenses and that "release at this time would diminish [the] seriousness of [the] crime."²¹⁴⁵ On March 18, 2020, member Sherman Lea voted to grant Corp parole.²¹⁴⁶ On March 21, 2020, Chair Adrienne Bennett cast the final necessary vote to grant Corp parole.²¹⁴⁷ VPB records list the "Decision Date" in Corp's case as "03/21/2020."²¹⁴⁸

Chair Bennett placed a note in Corp's CORIS file on March 31, 2020 stating "Ready to Certify," and VPB certified its decision to grant Corp discretionary parole the same day.²¹⁴⁹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond City Commonwealth's Attorney's Office on April 3, 2020; that office received the notification on April 10, 2020.²¹⁵⁰ Corp was released from State Farm Correctional Center on April 6, 2020.²¹⁵¹

F. Violations of Law

VPB's decision to grant Michael Corp discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the family of Corp's murder victim.²¹⁵²

VPB further violated Va. Code § 53.1-136(3)(c) by failing to notify the Richmond Commonwealth's Attorney's Office at least 21 business days prior to Corp's release.

Release of Michael Liverman

A. Sentencing Information

Michael Liverman was convicted of 10 robberies, 10 companion counts of use of a firearm in the commission of a felony, malicious wounding, 2 counts of receiving stolen property, and grand larceny in Norfolk, Portsmouth, and Virginia Beach in 1989.²¹⁵³ Liverman was sentenced to a total active term of 146 years.²¹⁵⁴

B. Facts of Parole-Eligible Offenses

On June 8, 1988, at approximately 4:00 a.m. in Portsmouth, Liverman approached a man who had just parked at a grocery store.²¹⁵⁵ Liverman pointed a gun at the man and demanded his wallet.²¹⁵⁶ The victim surrendered his wallet, and Liverman demanded that he give up any money in his pockets.²¹⁵⁷ Liverman fled, and the victim later identified him in a photo lineup.²¹⁵⁸

In another unrelated Portsmouth robbery, Liverman and a codefendant approached a victim who had just withdrawn cash from an ATM machine.²¹⁵⁹ Liverman put a gun to the man's face and demanded the victim's ATM card and PIN.²¹⁶⁰ Liverman's codefendant took the card and made three \$100 withdrawals.²¹⁶¹ The victim later identified Liverman in a photo lineup.²¹⁶²

In another unrelated Portsmouth robbery, a female victim had just gotten home and pulled into her driveway.²¹⁶³ When she finished getting things out of her trunk, Liverman was standing at the front of her vehicle, pointing a gun at her head and demanding her purse.²¹⁶⁴ The woman surrendered her purse and ran, later identifying Liverman in a photo lineup.²¹⁶⁵

C. Prior Criminal History and Institutional Discipline

In 1984, 22-year-old Liverman was charged with carnal knowledge of a child under 13; Liverman was permitted to plead guilty to the lesser-included misdemeanor of sexual battery.²¹⁶⁶ Liverman was additionally charged with rape, but he was permitted to plead guilty to a lesser felony offense of aggravated sexual battery.²¹⁶⁷ Liverman committed 24 institutional infractions while incarcerated, including 10 instances of indecent exposure, 2 lewd or obscene acts, and possession of a weapon.²¹⁶⁸

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Liverman on November 6, 2019 at Greenville Correctional Center.²¹⁶⁹ Liverman told the examiner that all of his robberies involved guns, and that he was on either alcohol, or cocaine, or both during some of the offenses.²¹⁷⁰ Liverman stated that he was a good candidate for parole because he had strong family support.²¹⁷¹ Liverman told the examiner that he was sorry for his crimes and that he never intended to hurt anyone.²¹⁷² The examiner recommended that Liverman be released.²¹⁷³

E. Parole Board Deliberations and Victim and Prosecutor Contact

Liverman was correctly deemed ineligible for discretionary parole under Va. Code § 53.1-151(B1) by VADOC due to multiple convictions for unrelated armed robberies. However, in July 2018, Chair Adrienne Bennett posted a note to Liverman's CORIS file recommending that Liverman's discretionary parole eligibility be restored:

Adrienne Bennett	07/06/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: No prior or subsequent predicate offenses. One robbery spree with 7 sets of robberies with companion firearms offenses between 1/2/1988 and 3/15/1988. Not at liberty between offenses. RECOMMENDATION: Restore Parole Eligibility. (note for parole purposes only 9/12/1984 Rape reduced to Aggravated Sexual Battery and 7/26/1985 Aggravated Sexual Battery reduced to misdemeanor sexual battery.
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Three Strikes/Parole Ineligibility Review: No prior or subsequent predicate offenses. One robbery spree with 7 sets of robberies with companion firearms offenses between 1/2/1988 and 3/15/1988. Not at liberty between offenses. RECOMMENDATION: Restore Parole Eligibility. (note for parole purposes only 9/12/1984 Rape reduced to Aggravated Sexual Battery and 7/26/1985 Aggravated Sexual Battery reduced to misdemeanor sexual battery.²¹⁷⁴

Chair Bennett sent Liverman a letter later in 2018 restoring his discretionary parole eligibility under § 53.1-151(B1). For the reasons more fully discussed in Section V of this report, the decision to restore Liverman's discretionary parole eligibility was unlawful.

VPB noted 12 letters from Liverman's supporters in 2019, as well as two meetings between VPB members and supporters in October and November 2019.²¹⁷⁵

On December 10, 2019, VPB member A. Lincoln James voted against granting Liverman discretionary parole.²¹⁷⁶ On January 24, 2019, Chair Bennett voted to grant Liverman parole.²¹⁷⁷ The same day, Chair Bennett posted the following note in Liverman's CORIS file:

There are two registered victims, both receiving notification via mail. Both victims reside in Portsmouth (where the crimes occurred and where offender would release to if granted parole). The sex offense involved offender's consensual sexual relationship with a minor when he was 18 or 19 - she was 13. She became pregnant with their child and charges were filed against him. Descriptions of his "lewd acts" indicate that he was masturbating while observing a female corrections officer - when caught they both described him as stopping immediately and trying to pull up his pants quickly. Note that there is very positive letter (uploaded in CORIS in February 2019 from Assistant Warden Jarrell). Benjamin Downey may be a co-defendant, also a 3 striker, released on parole last year.²¹⁷⁸

On January 25, 2020, member Kemba Pradia voted to grant Liverman parole.²¹⁷⁹ On February 6, 2020, member Linda Bryant cast the final necessary vote to grant Liverman parole.²¹⁸⁰

VPB records list the “Decision Date” in Liverman’s case as “02/06/2020.”²¹⁸¹ On February 21, 2020, Victim Input Coordinator Lisa Bowen posted a note to Liverman’s file containing the only other reference in Liverman’s file about victim information:

VICTIM RESEARCH COMPLETE - There are two registered victims in VINE. [REDACTED] is showing as deceased in the database as of June 2014. The other victim [REDACTED] is showing in the database at the current address in VINE. No further research is necessary. Ready to certify.²¹⁸²

On March 30, 2020, Chair Bennett input notes into Liverman’s file stating “Ready to certify.” VPB certified its decision to grant Liverman parole the next day.²¹⁸³ VPB staff mailed one notification required by Va. Code § 53.1-136(3)(c) to the Richmond City Commonwealth’s Attorney’s Office on April 6, 2020; those offices received the notifications on April 10, 2020.²¹⁸⁴ Liverman was released from Greensville Correctional Center on May 13, 2020.²¹⁸⁵

F. Violations of Law

VPB’s decision to grant Michael Liverman discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact eight of Liverman’s 10 armed robbery victims.

Release of Michael Palmer

A. Sentencing Information

In October and November 1989, Michael Palmer committed multiple armed robberies and abductions in Hampton, Norfolk, and Virginia Beach.²¹⁸⁶ Palmer was sentenced in 1990 in Hampton to 65 years in prison with 49 suspended for three counts of robbery and one count of abduction.²¹⁸⁷ Palmer was sentenced to 20 years in prison in Virginia Beach for two counts of robbery and two counts of use of a firearm in the commission of robbery.²¹⁸⁸ In 1992, Palmer was sentenced in Norfolk to 7 years in prison for robbery and use of a firearm in the commission of a felony.²¹⁸⁹ Palmer’s total active sentence was 43 years.²¹⁹⁰ VADOC investigated Palmer’s convictions and ruled that he was ineligible for discretionary parole under Va. Code § 53.1-151(B1) for multiple unrelated convictions of armed robbery.²¹⁹¹

Palmer was released on mandatory parole in August 2012.²¹⁹² In August 2013, Palmer committed domestic assault & battery against his girlfriend.²¹⁹³ Following his conviction in Newport News Circuit Court in April 2014, Palmer’s parole was revoked in September 2014.²¹⁹⁴ Palmer’s discretionary parole eligibility was restored by VPB in 2018.²¹⁹⁵

B. Prior Criminal History and Institutional Discipline

Palmer’s prior criminal history includes convictions for giving false information to police, disorderly conduct, concealment of merchandise, unlawful possession of a concealed weapon, grand larceny, contributing to the delinquency of a minor, assault & battery, and brandishing a firearm.²¹⁹⁶ Palmer committed three institutional infractions while incarcerated.²¹⁹⁷

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Palmer on September 19, 2019 at Deerfield Correctional Center.²¹⁹⁸ Palmer expressed remorse for his new conviction and said that he had learned how to handle confrontation better.²¹⁹⁹ The parole examiner recommended that Palmer be released.²²⁰⁰

D. Parole Board Deliberations and Victim and Prosecutor Contact

On November 6, 2019, VPB member A. Lincoln James voted against granting Palmer discretionary parole.²²⁰¹ On November 27, 2019, member Sherman Lea voted to grant Palmer parole.²²⁰² On January 5, 2020, Chair Adrienne Bennett voted to grant Palmer parole.²²⁰³ On January 6, 2020, member Kemba Pradia cast the final necessary vote to grant Palmer parole.²²⁰⁴ VPB records list the “Decision Date” in Palmer’s case as “01/06/2020.”²²⁰⁵

VPB’s Victim Input Coordinator noted attempts to locate and contact the victim of Palmer’s new, non-parole-eligible domestic battery conviction, but no attempts were documented to locate the victims of the robbery spree for which Palmer was on parole.²²⁰⁶ On February 5, 2020, Victim Input Coordinator Lisa Bowen wrote an email to the Newport News Victim/Witness director requesting the domestic battery victim’s contact information and stating that “[t]he Parole Board is reviewing this offender as a potential candidate for discretionary parole.”²²⁰⁷

On March 29, 2020, Chair Bennett input a note stating “Ready to certify.”²²⁰⁸ VPB certified its decision to grant Palmer discretionary parole on March 30, 2020.²²⁰⁹ VPB staff mailed one notification required by Va. Code § 53.1-136(3)(c) to an unnamed Commonwealth’s Attorney’s Office on March 31, 2020; there is no evidence that the notification was received.²²¹⁰ Palmer was released from Keen Mountain Correctional Center on April 23, 2020.²²¹¹

E. Violations of Law

VPB’s decision to grant Michael Palmer discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact Palmer’s multiple armed robbery victims.²²¹²

VPB further violated Va. Code § 53.1-136(3)(c) twice by failing to notify two Commonwealth’s Attorneys’ offices of Palmer’s impending release. Palmer had robbery convictions in three jurisdictions, yet VPB sent only one notification letter.

Release of Michael Spain

A. Sentencing Information

Michael Spain was convicted of burglary in Richmond City in 1979 and received a suspended sentence.²²¹³ Eight months later, while on probation, Spain committed grand larceny in Richmond City.²²¹⁴ While awaiting sentencing, he escaped from custody. He was convicted in 1980 of grand larceny and escape and received a 5-year active sentence.²²¹⁵ Spain was released on discretionary parole in February 1982.²²¹⁶ He committed petit larceny and assault & battery in Richmond City in October 1982 and his parole was revoked.²²¹⁷ Spain was released on discretionary parole again in November 1983.²²¹⁸ He was returned to custody again as a parole violator on November 27, 1984, and his parole was again revoked in January 1985.²²¹⁹ Spain was released on discretionary parole for a third time on March 26, 1986.²²²⁰ He was returned to custody again in August 1986 following arrests for assault, contempt of court, burglary, robbery, and first-degree murder in Richmond.²²²¹ Spain was sentenced in Richmond in November 1986 to 17 years for burglary, 20 years for robbery, and 20 years for first-degree murder.²²²²

B. Facts of Parole-Eligible Offenses

On August 18, 1986, Michael Spain went to the home of 86-year-old [REDACTED] in

Richmond and claimed that he was taking up a collection for Jerry's Kids.²²²³ Ms. █████ closed the storm door, leaving Spain outside, and went into her bedroom to get some money.²²²⁴ Ms. █████ believed that she had locked the door.²²²⁵ When she returned to the living room, Spain was standing there, and he said, "You got more money than that."²²²⁶ Ms. █████ told him that she had just gotten out of the hospital and had paid all of her money on bills for an eye operation.²²²⁷ Spain told her, "If you don't give me some money, I'm going to punch your eyes out."²²²⁸ Spain then knocked her to the floor, stomped and kicked her chest, and then dragged her into the kitchen.²²²⁹ Ms. █████ was able to get away out the back door, and a neighbor had also seen Spain go into her home and heard screaming.²²³⁰ Ms. █████ was taken to the hospital with chest pains, and she died the next day from a heart attack due to stress.²²³¹

C. Prior Criminal History and Institutional Discipline

In addition to the parole-eligible offenses listed above, Spain had prior convictions for burglary, grand larceny, and he had charges pending for attempted murder and other violent offenses at the time of his arrest for murder in 1986.²²³² Spain committed 62 institutional infractions while incarcerated, with most occurring during the 1980s and 1990s.²²³³ Spain's infractions included nine counts of possession/being under the influence of intoxicants, eight counts of assault, four counts of possession of contraband, two counts of fighting, two counts of possession of a weapon (one of which occurred in 2018), two counts of attempting to escape from custody (separate from his 1980 criminal conviction for escape), threatening bodily harm, making forcible sexual advances, and setting a fire.²²³⁴

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Spain on October 2, 2019 at Greenville Correctional Center.²²³⁵ The examiner noted that Spain had scored as a "high" recidivism risk on his 2019 COMPAS assessment, and that he was flagged in CORIS as a risk for violence and escape.²²³⁶ The examiner noted that Spain expressed remorse for his offenses but still contested the way in which the victim said they occurred.²²³⁷ The examiner recommended that Spain be released on discretionary parole solely due to his upcoming mandatory parole release date.²²³⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB took one meeting with Spain's supporters in 2014.²²³⁹ On October 29, 2019, VPB member Sherman Lea voted to grant Spain discretionary parole.²²⁴⁰ On December 3, 2019, member Kemba Pradia voted to grant Spain parole.²²⁴¹ On December 9, 2019, member Linda Bryant cast the final necessary vote to grant Spain parole. VPB records list the "Decision Date" in Spain's case as "12/09/2019."²²⁴²

On February 6, 2020, Victim Input Coordinator Lisa Bowen input the following note:

VICTIM RESEARCH COMPLETE - There is one anonymous email registered in VINE. I found the murder victim █████ in the death record database. She has no relatives in her report. Richmond V/W has no records prior to 2001. The homicide took place in August of 1986. No further research is necessary. Ready to certify.²²⁴³

On March 30, 2020, Chair Adrienne Bennett input a CORIS note stating "Ready to certify. Will need transitional housing."²²⁴⁴ VPB employee Crystal Noakes input a note on April 7, 2020

stating that “Victim notification of pending release on 4.22.20 not necessary - see CORIS NOTE dated 1.6.20 (sic) from L. Bowen.”²²⁴⁵ On April 20, 2020, Vice-Chair Linda Bryant input a note stating “SVP screen came back. No further eval needed.”²²⁴⁶

VPB certified its decision to grant Spain discretionary parole on March 31, 2020.²²⁴⁷ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond City Commonwealth’s Attorney’s Office on April 6, 2020; that office received the notification on April 10, 2020.²²⁴⁸ Spain was released from State Farm Correctional Center on April 22, 2020.²²⁴⁹

Four months later, Spain was discovered deceased in Richmond in August 2020. An autopsy report indicated that “[p]ostmortem toxicology demonstrated a lethal level of fentanyl in the blood along with despropionylfentanyl [a metabolite of fentanyl].”

F. Violations of Law

VPB’s decision to grant Michael Spain discretionary parole violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Richmond City Commonwealth’s Attorney’s office at least 21 business days prior to Spain’s release.

Release of Ovell Barber

A. Sentencing Information

Ovell Barber was convicted of first-degree murder, robbery, felony failure to appear, five counts of assault and battery, and two counts of destruction of property in Norfolk in 1988 and 1989.²²⁵⁰ His total active sentence was 94 years.²²⁵¹

B. Facts of Parole-Eligible Offenses

While on bond for robbing a store clerk by placing a butcher knife to his throat, Barber murdered his 18-year-old ex-girlfriend, [REDACTED], whom he had previously threatened to kill.²²⁵² On October 28, 1988, Barber was at the victim’s grandmother’s home.²²⁵³ He waited for the victim’s grandmother to leave and then asked to walk the victim home.²²⁵⁴ The victim asked a friend to “call the police if she was not back in five minutes.”²²⁵⁵ Barber and the victim then went to his uncle’s home, as she refused to go to his house.²²⁵⁶ Barber became enraged because the victim would not take her four-month old son to his house and would not sleep with him.²²⁵⁷ Barber pulled a knife and stabbed the victim six times in the neck, chest and arms, killing her.²²⁵⁸

C. Prior Criminal History and Institutional Discipline

Barber’s complete criminal history, with the absence of one prior trespassing conviction, is reflected above. Barber committed 78 institutional infractions while incarcerated.²²⁵⁹ These included attempting to kill another person in 2010, 11 counts of assault, 8 counts of threatening bodily harm, 6 counts of destruction of property, 5 counts of setting a fire, 5 counts of possession of contraband, 2 counts of indecent exposure, solicitation of staff misconduct, and aiding or abetting the forgery of documents.²²⁶⁰

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Barber on January 29, 2020 at Pocahontas State Correctional Center.²²⁶¹ Barber stated that he was remorseful for his crimes but claimed that his murder offense was not a premeditated crime.²²⁶² Barber stated that the murder victim, his child’s

mother, was “playing games” and was using their son “to manipulate him.”²²⁶³ Barber alleged that he “really did love her” and it was “just a domestic argument that grew into a fight.”²²⁶⁴ The parole examiner noted that Barber’s case was “borderline” but recommended granting parole.²²⁶⁵

E. Parole Board Deliberations and Victim and Prosecutor Contact

The victim’s mother initially opposed parole for Barber in a letter she sent to VPB in March 2013. A VPB employee described the opposition:

Letter received from [REDACTED] (mother of v). Mrs. [REDACTED] stated that she prays and hope that Ovell Barber will never get out and walk the streets. She hopes that no other family will ever experience a loss like she did; a part of her is gone forever. To have Ovell Barber on the streets would be a great injustice to society. He stabbed [REDACTED] in areas and organs where he knew she would die. NOTE: Mrs. [REDACTED] included a drawing that Ovell Barber sent from the Norfolk City Jail to [REDACTED] approximately a week before he killed her. The drawing depicts a head stone with [REDACTED]’s date of birth and death.²²⁶⁶

In 2016, a fellow offender wrote VPB to caution the Board about releasing Barber. VPB’s Victim Input Coordinator at the time placed the following note in Barber’s CORIS file:

[Barber] has a disdain for women in authority and those who “cross him,” as evidenced by the murder of the offender's child's mother. He will offend again if he feels like a woman is crossing him or wants to get out of a relationship...in December 2015, [Barber] stated, “Now that I done my time for it—ain’t no woman gonna cross me, or disrespect me, not even the mother of my child; and when I get out if a woman try to play me they will get the same damn treatment.” The offender also resents the victim’s mother for “turning her grandson against” him, and his plans to “straighten that out” once paroled. The offender never once reached out to the victim's family to show remorse, and targeting his victim based on gender compounds the offense.²²⁶⁷

VPB received six additional letters in support of Barber, including one from a correctional officer; VPB also took one meeting with Barber’s supporters in January 2020.²²⁶⁸

On March 15, 2020, VPB member Linda Bryant voted to grant Barber discretionary parole.²²⁶⁹ On March 17, 2020, Victim Input Coordinator Lisa Bowen input the following note into Barber’s CORIS file:

VICTIM RESEARCH - There are two registered victims in VINE - [REDACTED] and [REDACTED]. Ms. [REDACTED] is [REDACTED]’ (murder victim) mother. She last provided opposition input in March 2013. Her address and phone number in VINE are current according to the database so my assumption is that she is still actively receiving notification. The other victim [REDACTED] is showing as DECEASED in the database as of [REDACTED]. The victim is not on her relative report in the database but the PSI indicates [REDACTED] [REDACTED] [REDACTED]. I was not able to locate the murder victim in the death record database to confirm relatives.²²⁷⁰

On March 19, 2020, VPB member Kemba Pradia voted to grant Barber discretionary

parole.²²⁷¹ On March 22, 2020, Chair Adrienne Bennett cast the final necessary vote to grant Barber parole.²²⁷² VPB records list the “Decision Date” in Barber’s case as “03/22/2020.”²²⁷³ The next day, Victim Input Coordinator Bowen placed a note in Barber’s file stating “VICTIM RESEARCH COMPLETE - No further research necessary. Ready to certify.”²²⁷⁴ On March 29, 2020, Chair Bennett input a note stating “Ready to Certify.”²²⁷⁵ VPB certified its decision to grant Barber discretionary parole on March 30, 2020.²²⁷⁶ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk Commonwealth’s Attorney’s Office on March 31, 2020; there is no evidence that office received the notification.²²⁷⁷ Barber was released from State Farm Correctional Center on April 27, 2020.²²⁷⁸

F. Violations of Law

VPB’s decision to grant Ovell Barber discretionary parole violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Norfolk Commonwealth’s Attorney’s Office at least 21 business days prior to Barber’s release.

Release of Patrick Mack

A. Sentencing Information

23-year-old Patrick Mack was convicted of capital murder, robbery, two counts of abduction, and attempted extortion in Norfolk in 1980.²²⁷⁹ He was sentenced to two life terms.²²⁸⁰ Mack was additionally convicted of a separate offense of voluntary manslaughter in Richmond City in 1983, receiving a 5-year sentence.²²⁸¹

B. Facts of Parole-Eligible Offenses

At approximately 11:45 p.m. on March 28, 1980, multiple people were participating in a dice game at ██████████’s apartment in Norfolk.²²⁸² Two of Mack’s codefendants entered the apartment and watched the game.²²⁸³ Mack entered the apartment several minutes later, displayed a firearm, and shot ██████████ in the back, killing him.²²⁸⁴ Mack then announced that there would be a robbery.²²⁸⁵ One of Mack’s codefendants produced another firearm, and the three men began to take money from the people inside the apartment totaling over \$750.²²⁸⁶ After the robbery, Mack and a codefendant left the apartment.²²⁸⁷ Another codefendant had been acting as a lookout at the bottom of the stairs, and a getaway driver was also waiting down the block.²²⁸⁸ Mack was arrested three days later and confessed to shooting and killing the victim, but claimed that the other codefendants planned the crimes.²²⁸⁹

On May 14, 1980, at the Norfolk City Jail, Patrick Mack attempted to extort \$100,000 and a helicopter from Norfolk sheriff’s deputies by taking multiple hostages.²²⁹⁰ Mack and three codefendants forced a deputy into a cell, locked the doors, took his keys, and held the deputy as a hostage.²²⁹¹ Mack and his associates took five other correctional officers, a recreational employee, a school teacher, a physician’s assistant, and two other inmates hostage.²²⁹² Mack and his codefendants demanded that the Norfolk sheriff give them \$100,000 and a helicopter so they could escape from the jail.²²⁹³ The sheriff refused and instead offered to discuss the matter with Mack and his associates.²²⁹⁴ The hostages were eventually released without injury.²²⁹⁵

C. Prior Criminal History and Institutional Discipline

Mack was convicted in 1973 of felony unauthorized use of an automobile in Virginia.²²⁹⁶ In 1975, Mack was charged with armed robbery and murder, but the offenses were *nolle*

prossed.²²⁹⁷ In 1976, Mack was convicted in United States District Court of unlawful possession of mail and sentenced to 5 years.²²⁹⁸ Mack was released from federal prison in 1979, and he committed the capital murder and related offenses in Norfolk 4 months later.²²⁹⁹

Mack committed 50 institutional infractions while incarcerated. These included inciting a riot at Powhatan Correctional Center in 1989, 2 instances of possession of a weapon, 5 instances of assault, distribution of unauthorized drugs, 4 instances of threatening bodily harm, 2 instances of stealing, 2 instances of giving false information, 5 instances of possession of intoxicants, 7 instances of possession of contraband, 2 instances of being in an unauthorized area, hiding, indecent exposure, fighting, damaging state property, possession of unauthorized drugs, and being under the influence of drugs or intoxicants.²³⁰⁰

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Mack on December 30, 2019 at Nottoway Correctional Center.²³⁰¹ Mack told the examiner that he knew in his heart that he was a changed person, and that he had remorse for his crimes.²³⁰² Mack stated that he knew it would take a while to adapt to life outside prison, but he thought he could cope with getting out.²³⁰³ The examiner recommended against releasing Mack.²³⁰⁴

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted that it took 6 calls, received 4 letters, and had 3 meetings with Mack's supporters and family between 2013 and 2019.²³⁰⁵ On February 6, 2020, VPB member A. Lincoln James voted against granting Mack discretionary parole, citing the reasons "Conviction of a new crime while incarcerated" and "Extensive criminal record."²³⁰⁶ On March 16, 2020, member Sherman Lea voted against granting Mack parole, citing the reason "Crimes committed: Homicide-capital, Abduct-no ransom or assault, Abduct-no ransom or assault."²³⁰⁷

On March 21, 2020, Chair Adrienne Bennett voted to grant Mack discretionary parole.²³⁰⁸ The next day, members Kemba Pradia and Linda Bryant voted to grant Mack parole.²³⁰⁹ On March 26, 2020, member A. Lincoln James reversed his vote and cast the final necessary vote to grant Mack parole.²³¹⁰ VPB records list the "Decision Date" in Mack's case as "03/26/2020."²³¹¹

On March 31, 2020, Chair Adrienne Bennett input a note into Mack's CORIS file stating "Ready to certify."²³¹² Immediately following that note, Victim Input Coordinator Lisa Bowen placed the following note, which was the first note about victim research and contact that appears in Mack's file:

VICTIM RESEARCH COMPLETE - No registered victims in VINE. Victim research was done for co-defendant Charlie Wilson DOC Inmate #1006523. No victims could be located or victims were showing as deceased in the database. No further research is necessary. Ready to certify.²³¹³

Review of VPB records for Mack's codefendant, offender Charlie Wilson, revealed that the extent of the victim research in Wilson's case was a single sentence posted to Wilson's file on June 1, 2017 by former VPB employee Jovenia Stegner: "Victims that could be located were deceased. No further research is necessary."²³¹⁴ Wilson's CORIS file did not specify which victims were located or which were deceased.

VPB certified its decision to grant Mack discretionary parole on March 31, 2020.²³¹⁵ VPB

staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk Commonwealth's Attorney's Offices on April 3, 2020; the notification was received on April 10, 2020.²³¹⁶ There was no record of a notification to the Richmond City Commonwealth's Attorney's Office regarding Mack's 1983 voluntary manslaughter conviction.²³¹⁷ Mack was released from Nottoway Correctional Center on April 24, 2020.²³¹⁸

F. Violations of Law

VPB's decision to grant Patrick Mack discretionary parole violated Va. Code § 53.1-136(3)(c) because VPB failed to notify the Richmond City Commonwealth's Attorney's Office of Mack's impending release.

Release of Paul Hinkle

A. Sentencing Information

Paul Hinkle was convicted of first-degree murder, malicious wounding, robbery, and two counts of use of a firearm in the commission of a felony in Virginia Beach in 1995 (offenses occurred in November 1994).²³¹⁹ Hinkle was sentenced to 141 years in prison.²³²⁰

B. Facts of Geriatric Conditional Release-Eligible Offenses

On Thanksgiving night in 1994, 39-year-old Hinkle, his brother, and his brother's girlfriend were at a motel in Virginia Beach when an argument ensued.²³²¹ Hinkle claimed that his brother's girlfriend was cheating.²³²² One of the victims called Hinkle a liar, and then, in Hinkle's words, he "popped a couple of caps."²³²³ Hinkle's brother was injured, but he survived and told police that his brother was the shooter.²³²⁴ Hinkle's brother's girlfriend died from gunshot to the head.²³²⁵

C. Prior Criminal History and Institutional Discipline

Hinkle has prior convictions for DUI and drunk in public.²³²⁶ He committed 11 institutional infractions while incarcerated, including 7 instances of possession of contraband.²³²⁷

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Hinkle at Augusta Correctional Center on July 29, 2019.²³²⁸ Hinkle stated that he had "mellowed out" and regretted what he did.²³²⁹ Hinkle noted his work experience and institutional education while incarcerated.²³³⁰ The examiner recommended that Hinkle be released.²³³¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

On January 24, 2019, Victim Input Coordinator Lisa Bowen posted the following note to Hinkle's CORIS file:

VICTIM NOTIFICATION - I have sent a geriatric parole consideration notification to the only registered victim in VINE [REDACTED]. I was not able to determine Ms. [REDACTED]'s connection to the murder victim [REDACTED] or the malicious wounding/attempted murder victim [REDACTED] (who is the offender's brother) using the PSI and database. The offender is not being interviewed. He is having a desk review.²³³²

VPB employee Laura Hall noted that member A. Lincoln James took a meeting with

Hinkle's sister in support of his release in August 2019.²³³³

VPB initially voted on Hinkle's case between September 2019 and November 2019, ultimately denying Hinkle's release. On September 7, 2019, Board member A. Lincoln James voted against releasing Hinkle.²³³⁴ On October 21, 2019, member Linda Bryant voted against releasing Hinkle. On November 8, 2019, member Sherman Lea cast the third vote against granting Hinkle's release.²³³⁵ VPB certified its decision to deny Hinkle parole on November 12, 2019.

Hinkle was not interviewed before VPB reconsidered his case. On March 22, 2020, VPB member Kemba Pradia voted against granting Hinkle geriatric conditional release.²³³⁶ On March 26, 2020, member A. Lincoln James voted against granting Hinkle geriatric release.²³³⁷ The same day, Chair Adrienne Bennett and member Linda Bryant voted to grant Hinkle geriatric release.²³³⁸ On March 27, 2020, member Sherman Lea cast the final necessary vote to grant Hinkle geriatric release.²³³⁹ VPB records list the "Decision Date" in Hinkle's case as "03/27/2020."²³⁴⁰ On March 31, 2020, Chair Bennett input a note stating "Ready to Certify,"²³⁴¹ and VPB certified its decision to grant Hinkle geriatric conditional release the same day.²³⁴² A VPB employee mailed a notification²³⁴³ of Hinkle's upcoming release to the Virginia Beach Commonwealth's Attorney on April 3, 2020; the notification was received on April 10, 2020.²³⁴⁴ Hinkle was released from Augusta Correctional Center on June 9, 2020.²³⁴⁵

F. Violations of Law

No violations found.

Release of Pernell Redwine

A. Sentencing Information

Pernell Redwine was convicted of three robberies in Petersburg in 1977 and sentenced to 5 years.²³⁴⁶ While incarcerated in 1980, Redwine was convicted of malicious wounding by an inmate and sentenced to one year.²³⁴⁷ Redwine was released on discretionary parole in 1983.²³⁴⁸

Redwine was later rearrested for a multi-year armed robbery spree.²³⁴⁹ In 1987, Redwine committed 2 counts of robbery and 2 use of a firearm in the commission of a felony in Prince George County; 2 counts of robbery and 2 counts of use of a firearm in the commission of a felony in Chesterfield; robbery and use of a firearm in the commission of a felony in Richmond City; and, entering a bank while armed, arson, use of a firearm in the commission of a felony, and escaping from custody in Petersburg.²³⁵⁰ Redwine also pled guilty to armed bank robbery in United States District Court in 1988.²³⁵¹ Redwine's total Virginia sentence was 130 years.²³⁵²

B. Facts of Parole-Eligible Offenses

In February 1987, Redwine and a codefendant entered the First National Bank in Petersburg, produced firearms, and threatened the bank tellers.²³⁵³ One teller had a pistol placed against his head while being ordered to hurry up and open the safe.²³⁵⁴ The tellers gave Redwine \$10,000 in cash and \$3,000 in checks.²³⁵⁵ A silent alarm had been triggered, and as Redwine exited the bank, police officers confronted him. Redwine drew his loaded pistol.²³⁵⁶ He then dropped the pistol and money and fled; his codefendant was waiting in a getaway car.²³⁵⁷

Redwine's federal bank robbery occurred at the Heritage Savings and Loan Association in Richmond on April 12, 1988.²³⁵⁸ Wearing a ski mask and holding a revolver, Redwine ran into the

bank lobby toward a rear door.²³⁵⁹ Redwine shouted, “This is a hold-up; everybody get back; get your hands up.”²³⁶⁰ Redwine then jumped over the counter, yelling, “get back, put your hands up, get back or I’ll kill you.”²³⁶¹ Redwine took money out of a teller station and put it in a bag.²³⁶² Redwine then opened both money drawers at the drive-thru station while still holding the gun; there was nothing of value in the drawers.²³⁶³ Redwine went to a different station, took money from the drawers, and put it into his bag.²³⁶⁴ He attempted to access the vault but was unable to get inside.²³⁶⁵ Redwine then jumped over the gate and left through the rear door saying, “Don’t anyone follow me, I’ll kill you.”²³⁶⁶ He was identified by multiple tellers.²³⁶⁷

C. Prior Criminal History and Institutional Discipline

In addition to the convictions listed above, Redwine has prior convictions for 2 robberies, 6 burglaries, assault with a deadly weapon, escape from custody, 2 counts of trespassing, 3 counts of destruction of property, and possession of burglarious tools.²³⁶⁸ Redwine committed 37 institutional infractions while incarcerated, including setting a fire, assault on correctional staff, possession of a weapon, 5 indecent exposures, and 3 lewd/obscene acts.²³⁶⁹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Redwine on September 26, 2019 at Buckingham Correctional Center.²³⁷⁰ The examiner noted that Redwine’s COMPAS risk assessment showed a high risk for general recidivism and a medium risk for violent recidivism.²³⁷¹ Redwine attributed his crimes to crack cocaine use.²³⁷² Redwine told the examiner that today, he thought about looking out for others, not getting high on drugs or committing crimes.²³⁷³ The examiner recommended against releasing Redwine.²³⁷⁴

E. Parole Board Deliberations and Victim and Prosecutor Contact

Redwine was correctly deemed ineligible for discretionary parole by VADOC under Va. Code § 53.1-151(B1) for multiple unrelated convictions of armed robbery in 1977 (Petersburg; VADOC records show that Redwine produced a .38 handgun during a triple robbery at Waffle House), 1987 (armed robbery and firearm convictions in three separate jurisdictions), and 1988 (federal armed bank robbery conviction). Nevertheless, Chair Adrienne Bennett restored Redwine’s discretionary parole eligibility under § 53.1-151(B1) in a 2019 letter. For the reasons more fully discussed in a separate section of this report, Chair Bennett’s restoration of Redwine’s parole eligibility was unlawful.

VPB noted one letter in support of Redwine in September 2019.²³⁷⁵ There is no information in VPB files regarding victim research, input, or contact.²³⁷⁶

On January 30, 2020, VPB member Linda Bryant voted to grant Redwine geriatric conditional release.²³⁷⁷ On March 22, 2020, member Kemba Pradia voted to release Redwine.²³⁷⁸ On March 26, 2020, member A. Lincoln James cast the final necessary vote to release Redwine.²³⁷⁹ VPB records list the “Decision Date” in Redwine’s case as “03/26/2020.”²³⁸⁰ On March 31, 2020, Chair Adrienne Bennett input a note stating “Ready to certify,”²³⁸¹ and VPB certified its decision to grant Redwine geriatric conditional release the same day.²³⁸² VPB staff mailed a notification of Redwine’s release to the Richmond City, Chesterfield, Powhatan, Petersburg, and Prince George Commonwealth’s Attorneys’ Offices on April 3, 2020; the Richmond office received the notification on April 9, 2020; the Petersburg office received the notification on April 17, 2020; the Prince George office received the notification on April 10, 2020.²³⁸³ The Powhatan and

Chesterfield offices received the notification, but a return receipt was undated.²³⁸⁴ Redwine was released from Buckingham Correctional Center on May 11, 2020.²³⁸⁵

F. Adjustment to Supervision

Pernell Redwine was arrested in Henrico County on November 20, 2021 for obstruction of justice and possession of a schedule I/II controlled substance with intent to distribute. Redwine's drug distribution trial is set for February 2023 in Henrico Circuit Court.

G. Violations of Law

No violations found.

Release of Ralph Spainhour

A. Sentencing Information

Ralph Spainhour was convicted of first-degree murder, second-degree murder, and two counts of use of a firearm in the commission of a felony for two murders in Newport News in 1981.²³⁸⁶ Spainhour was sentenced to life in prison plus 22 years.²³⁸⁷

B. Facts of Parole-Eligible Offenses

While driving a vehicle on I-64 in Newport News, Ralph Spainhour shot and killed 27-year-old [REDACTED] and 31-year-old [REDACTED] with a 12-gauge shotgun.²³⁸⁸ The victims were driving in a separate vehicle, and a witness discovered the victims after their vehicle crashed.²³⁸⁹ Spainhour had a previous relationship with the female victim.²³⁹⁰

C. Prior Criminal History and Institutional Discipline

Spainhour had no prior criminal history, and he committed one institutional infraction while incarcerated, possession of a weapon in 2016.²³⁹¹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Spainhour on December 11, 2019 at Nottoway Correctional Center.²³⁹² Spainhour continued to falsely maintain, as he had at trial, that his double murder was unintentional: "It happened, it was an accident but it happened, so I must take full responsibility for it."²³⁹³ The examiner asked Spainhour why he murdered his two victims, and he again stated, "It just happened, it does not matter why. It just happened, I can't prove I didn't do it, so I was found guilty."²³⁹⁴ Spainhour did not express remorse or apologize for his crimes, claiming it was hard to think about how many people were hurt and affected by what he did.²³⁹⁵ The examiner recommended that Spainhour be granted parole.²³⁹⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB received one letter in support of Spainhour in 2019.²³⁹⁷

On January 30, 2020, VPB member Linda Bryant voted to grant Spainhour discretionary parole.²³⁹⁸ On February 21, 2020, member A. Lincoln James voted to grant Spainhour parole.²³⁹⁹ On March 11, 2020, Chair Adrienne Bennett voted to grant Spainhour parole.²⁴⁰⁰ On March 14, 2020, member Kemba Pradia cast the final necessary vote to grant Spainhour parole.²⁴⁰¹ VPB records list the "Decision Date" in Spainhour's case as "03/14/2020."²⁴⁰²

No victim research or contact efforts began until March 25, 2020, when Victim Input Coordinator Lisa Bowen input the following two notes:

VICTIM RESEARCH - There are two anonymous phone numbers registered in VINE. One belongs to [REDACTED] and [REDACTED] who I believe are the parents of the murder victim [REDACTED]. The second phone number I am not able to make a connection to the victim/offender. I believe I found the second murder victim [REDACTED] in the death record database. She has no relatives in her report. I have sent this information to Newport News V/W to see if they have any old victim contact information. The offense took place in December 1980 so I am not confident they will have any information.

VICTIM RESEARCH COMPLETE - Newport News V/W confirmed their records start at 1985 so they do not have any additional victim information. No further research is necessary. Ready to certify.²⁴⁰³

On March 31, 2020, Chair Adrienne Bennett placed a note in Spainhour's CORIS file stating "Ready to certify."²⁴⁰⁴ VPB certified its decision to grant Spainhour discretionary parole the same day.²⁴⁰⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Newport News Commonwealth's Attorney's Office on April 6, 2020; that office received the notification, but the return receipt was undated.²⁴⁰⁶

On May 29, 2020, Victim Input Coordinator Lisa Bowen input the following note into Spainhour's file:

VICTIM CONTACT - I spoke with [REDACTED], family member of the male victim. Ms. [REDACTED] was upset that the Board granted parole to the offender. She stated that she remembered getting the GRANT decision from VINE but not the parole interview notification. I confirmed in VINE that the interview notification was made on 11/11/2019 and that Ms. [REDACTED] did confirm receipt. The system would keep calling back without this confirmation. Ms. [REDACTED] said she will speak with the family to determine next steps.

A different VPB employee placed two notes into Spainhour's file later on May 29, 2020:

VICTIM INPUT/OPPOSITION: As a follow-up to the prior entry re victim- [REDACTED] -- the victim did return my call. She and her husband are in opposition to Offender's release. Says she has tried to contact Governor's Office. I asked Lisa Bowen to speak with her.

VICTIM INFORMATION: A search of CORUS (sic) found no victim information. The VINE search listed to phone numbers: [REDACTED] - not in service. [REDACTED] - no response even after leaving message.²⁴⁰⁷

Spainhour was released from Nottoway Correctional Center on June 12, 2020.²⁴⁰⁸

F. Violations of Law

VPB's decision to grant Ralph Spainhour discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the families of Spainhour's two murder victims before casting the necessary votes to release Spainhour.

Release of Rickie Lampkin

A. Sentencing Information

Rickie Lampkin accrued the following convictions and was sentenced on the following dates:²⁴⁰⁹

1. Petit Larceny, Hampton Gen. Dist. Court, 12 months (Feb. 28, 1989)
2. Obtain Money by False Pretenses, Hampton Gen. Dist. Court, 12 months (Feb. 28, 1989)
3. 10 counts of burglary, Newport News Circuit Court, total sentence of 25 years with 10 suspended (Apr. 18, 1989)
4. Burglary, Hampton Circuit Court, 8 years (May 5, 1989)
5. Burglary, Fairfax County Circuit Court, 12 months (Aug. 17, 1992)
6. 3 counts of burglary, Alexandria Circuit Court, total sentence of 9 years (Sept. 15, 1992)
7. Grand Larceny, Alexandria Circuit Court, 1 year (Sept. 15, 1992)
8. 3 counts of burglary, Fairfax County Circuit Court, 3 years (Oct. 2, 1992)

B. Prior Criminal History and Institutional Discipline

Lampkin's criminal history includes multiple theft, assault, and trespassing convictions predating his 1989 theft conviction in Hampton.²⁴¹⁰ At age 49, Lampkin was convicted of 15 burglaries and 1 attempted burglary on July 6, 2007 in Newport News, receiving a 20-year prison sentence.²⁴¹¹ After he was arrested for this crime spree, Lampkin confessed to over 120 burglaries encompassing 80 different police reports.²⁴¹² As of 2007, Lampkin had been convicted of 33 total burglaries.²⁴¹³ Lampkin committed three minor institutional infractions between 2013–16.²⁴¹⁴

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Lampkin on May 10, 2019 at Deerfield Correctional Center.²⁴¹⁵ Lampkin stated that he had focused on working and his work ethic, and that he could not see how he would steal ever again.²⁴¹⁶ The examiner recommended that Lampkin be granted geriatric conditional release.²⁴¹⁷

D. Parole Board Deliberations and Victim and Prosecutor Contact

In 2018, Chair Adrienne Bennett placed the following note in Lampkin's CORIS file:

Recently stepped down to Deerfield from a Level 4 (Sussex II) facility. I want to see how continues to function in a less secure environment. Home plan needs investigation. This case will require extensive victim research given the number (sic) victims.²⁴¹⁸

On June 13, 2019, Vice-Chair Jean Cunningham voted to grant Lampkin geriatric conditional release.²⁴¹⁹ On June 18, 2019, Chair Adrienne Bennett voted to grant Lampkin geriatric conditional release.²⁴²⁰ On June 19, 2019, member Linda Bryant cast the final necessary vote to grant Lampkin geriatric conditional release.²⁴²¹ VPB records list the "Decision Date" in Lampkin's case as "06/19/2019."²⁴²²

In July 2019, VPB issued letters to certain identifiable victims of Lampkin's 2006 and 2007 burglaries after requesting assistance from the Newport News Victim/Witness program.²⁴²³ One such letter was returned as undeliverable, and one received no response.²⁴²⁴ VPB documented no

effort to identify and contact the victims of Lampkin's other 18 burglaries from Hampton, Fairfax, and Alexandria.²⁴²⁵

VPB certified its decision to grant Lampkin geriatric conditional release on March 30, 2020.²⁴²⁶ Lampkin was released from Deerfield Correctional Center on May 15, 2020.²⁴²⁷

E. Violations of Law

No violations found.

Release of Robert Day

A. Sentencing Information

Robert Day was sentenced to six years with five years and six months suspended for burglary in Chesapeake Circuit Court on December 1, 1988.²⁴²⁸ Day committed forgery and uttering a forged document in Portsmouth on October 16, 1989.²⁴²⁹ He was sentenced to two years on each count on October 12, 1990.²⁴³⁰ Day committed rape, abduction, and robbery in Portsmouth on November 6, 1989.²⁴³¹ He was sentenced to 20 years for rape in Portsmouth Circuit Court on October 25, 1990; on October 10, 1990, Day was sentenced in Portsmouth Circuit Court to 40 years for abduction and 20 years for robbery.²⁴³² Day also committed trespassing and possessing cocaine in Portsmouth on November 15, 1989; he was arrested the same day.²⁴³³ He was sentenced to one year for the cocaine conviction on June 21, 1990.²⁴³⁴ Day's total sentence was 79 years.

B. Facts of Parole-Eligible Offenses

On October 16, 1989, Robert Day presented a check he had stolen from a Portsmouth resident to a teller at Central Fidelity Bank in Portsmouth.²⁴³⁵ Day stated that he did not have any identification and that the check had been approved and signed by a bank representative.²⁴³⁶ The teller spoke with the bank representative, who indicated that she had not approved the check or signed the back.²⁴³⁷ Day then hurriedly left the bank, getting into a vehicle with the license tag "ADD DAY 1."²⁴³⁸ That vehicle was found to be registered to Day's mother.²⁴³⁹ Day was also identified by bank personnel in a photo lineup.²⁴⁴⁰

On November 6, 1989, Day approached a vehicle driven by [REDACTED] in front of a home in Portsmouth.²⁴⁴¹ As Ms. [REDACTED] exited the vehicle, Day forced her back into the vehicle at knifepoint.²⁴⁴² Day took \$2 from her purse and forced her to cash a \$50 check.²⁴⁴³ Day then took the money from her, drove her to another location behind the Portsmouth Town & County Shopping Center, where he raped and sodomized her at knifepoint.²⁴⁴⁴

On November 15, 1989, while Day was being arrested in Portsmouth for burglary (later reduced to trespassing), police found an envelope containing cocaine in his pocket.²⁴⁴⁵ Following his various convictions, Day was sentenced to serve the remainder of his suspended burglary sentence in Chesapeake.²⁴⁴⁶

C. Prior Criminal History and Institutional Discipline

Day's criminal history is fully described above. Day committed ten institutional infractions while incarcerated, including two instances of indecent exposure, being under the influence of drugs, possession of contraband, and assault.²⁴⁴⁷

D. Parole Examiner Interview and Recommendation

A parole examiner conducted Day's twentieth parole interview at Buckingham Correctional Center on March 23, 2020.²⁴⁴⁸ No parole examiner had ever recommended that Day be released.²⁴⁴⁹ Day told the examiner that he had been getting high in the jail, so he never really stopped using drugs around the time that he was initially locked up for burglary in Chesapeake.²⁴⁵⁰ Day claimed he had been clean since 2003. Day stated that he wanted a chance to prove himself.²⁴⁵¹ The examiner recommended against releasing Day.²⁴⁵²

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB employee Brenda Marriott input a file note in January 2007 reading as follows: "****Victim [REDACTED], [REDACTED], [REDACTED], [REDACTED], listed in electronic file. Address and phone number located in law enforcement. Called victim on 1/22/07. She is still very afraid of him and believes he should remain in. Mailed brochures."²⁴⁵³ Between 2007 and 2020, VPB received input in support of Day on nine different occasions.²⁴⁵⁴ After the 2007 contact, VPB did not document any attempts to contact the victim.²⁴⁵⁵ In a May 2019 file note, Chair Adrienne Bennett wrote "SVP screening complete. No further action required."²⁴⁵⁶

On March 24, 2020, Chair Adrienne Bennett voted to release Day.²⁴⁵⁷ On March 26, 2020, member A. Lincoln James voted to release Day.²⁴⁵⁸ On March 30, 2020, member Linda Bryant cast the final necessary vote to release Day.²⁴⁵⁹ VPB records list the "Decision Date" in Day's case as "03/30/2020."²⁴⁶⁰ Chair Bennett input a note stating "Ready to certify" on March 31, 2020, and VPB certified its decision to grant Day parole the same day.²⁴⁶¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Portsmouth Commonwealth's Attorney's Office on April 3, 2020; the notification was received on April 28, 2020.²⁴⁶² On June 11, 2020, VPB employee Shirley Smith input a note stating "VICTIM INFORMATION: A search of CORUS (sic) and VINE found not (sic) victim information/registrants listed. The number listed in VINE - [REDACTED] -- is that of his sister, who is not a victim."²⁴⁶³ Day was released from Buckingham Correctional Center on June 30, 2020.²⁴⁶⁴

F. Violations of Law

VPB's decision to grant Robert Day discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Day's rape victim during his 2020 parole consideration.

Release of Robert Godfrey

A. Sentencing Information

Robert Godfrey was convicted of first-degree murder, robbery, and use of a firearm in the commission of a felony in Grayson Circuit Court in January 1994.²⁴⁶⁵ He was sentenced to 200 years in prison.²⁴⁶⁶ Later the same year, in September 1994, Godfrey was convicted of escaping from custody in Grayson Circuit Court, receiving an additional 2 years and 6 months to serve.²⁴⁶⁷ Godfrey was further convicted of bribery and conspiracy to deliver drugs to a prisoner in Augusta Circuit Court in 1996, receiving an additional one-year sentence.²⁴⁶⁸

B. Facts of Parole-Eligible Offenses

On December 14, 1992, Godfrey and three associates went to the home of a 68-year-old

man to find marijuana.²⁴⁶⁹ When the men arrived at the victim's home, Godfrey got out of the car and hid in the bushes.²⁴⁷⁰ Godfrey's associates remained in the car and blew the horn.²⁴⁷¹ The victim came out of his house, and Godfrey stepped out of the bushes and shot him with a rifle 2-3 times.²⁴⁷² The victim fell to the ground, and Godfrey shot him again.²⁴⁷³ Godfrey and a codefendant carried the victim's body over to their car, and all four men helped lift the body into the car.²⁴⁷⁴ Police later found bloodstains and the victim's left shoe in the trunk of the vehicle.²⁴⁷⁵

Godfrey and his associates took marijuana stalks and three guns from the victim's home.²⁴⁷⁶ The men then retrieved a blanket, a rope, and a cinderblock.²⁴⁷⁷ They traveled to a dam and removed the victim's body from the trunk.²⁴⁷⁸ The men wrapped the victim's body in the blanket, tied a cinderblock to it, and threw the body into the water.²⁴⁷⁹

C. Prior Criminal History and Institutional Discipline

Godfrey has prior convictions, beginning in 1985, for burglary, sale of cocaine, conspiracy to distribute drugs, unauthorized use of an automobile, petit larceny, and concealment of merchandise.²⁴⁸⁰ Godfrey committed 23 institutional infractions between 1994 and 2014, including 7 instances of possession of contraband, 5 instances of being in an unauthorized area, 2 instances of being under the influence of drugs, and escaping from custody.²⁴⁸¹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Godfrey on September 25, 2019 at Buckingham Correctional Center.²⁴⁸² The examiner noted that Godfrey's recent COMPAS risk assessment showed that Godfrey posed a medium risk for general recidivism and violent recidivism.²⁴⁸³

Godfrey told the examiner that the crime he committed will never change, but he had changed.²⁴⁸⁴ Godfrey stated that when he killed his victim, he reacted first and did something bad.²⁴⁸⁵ Godfrey asserted that he was not the only one hurt in the long run either.²⁴⁸⁶ Godfrey told the examiner that he did not worry about re-offending if released, because he had "grown up."²⁴⁸⁷ The examiner recommended against releasing Godfrey.²⁴⁸⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB received 27 letters, emails, and phone calls in support of Godfrey between 2004 and 2019.²⁴⁸⁹ VPB members took telephone appointments with Godfrey's supporters in 2016, 2018, and 2019.²⁴⁹⁰ No victim contact information appears in VPB files until February 19, 2020.²⁴⁹¹

On November 14, 2019, VPB member A. Lincoln James voted against granting Godfrey discretionary parole.²⁴⁹² On January 14, 2020, Chair Adrienne Bennett voted to grant Godfrey parole.²⁴⁹³ The same day, member Kemba Pradia voted to grant Godfrey parole.²⁴⁹⁴ On February 13, 2020, member Sherman Lea cast the final necessary vote to grant Godfrey parole.²⁴⁹⁵ VPB records list the "Decision Date" in Godfrey's case as "02/13/2020."²⁴⁹⁶

On February 19, 2020, Victim Input Coordinator Lisa Bowen input the following note into Godfrey's CORIS file: "VICTIM RESEARCH - No victims in VINE. Found relatives of the murder victim [REDACTED] in the database. Sent victim notification letters with response deadline of March 11, 2020."²⁴⁹⁷ Bowen placed a follow-up note in Godfrey's file on March 16, 2020 stating "VICTIM RESEARCH COMPLETE - No response received from victim notification letters. No further research is necessary. Ready to certify."²⁴⁹⁸ On March 24, 2020, one of the notification letters was returned unopened and undeliverable.²⁴⁹⁹

On March 29, 2020, Chair Adrienne Bennett placed a note in Godfrey's file stating "Ready to certify."²⁵⁰⁰ VPB certified its decision to grant Godfrey discretionary parole on March 30, 2020.²⁵⁰¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Grayson Commonwealth's Attorney's Office on March 31, 2020; the notification was received on April 3, 2020.²⁵⁰² Godfrey was released from Buckingham Correctional Center on September 8, 2020.²⁵⁰³

F. Violations of Law

VPB's decision to grant Robert Godfrey discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the family of Godfrey's murder victim before casting the necessary votes to release him.

Release of Robert Muhammad (f/k/a Robert Oliver)

A. Sentencing Information

Robert Oliver²⁵⁰⁴ committed robbery, larceny, and grand larceny in Richmond City in 1996.²⁵⁰⁵ He was sentenced to 10 years with 4 suspended.²⁵⁰⁶ He was released to probation in September 2001.²⁵⁰⁷ In April 2002, under the name Robert Muhammad, he committed robbery in Hanover, later receiving a sentence of 50 years with 39 suspended.²⁵⁰⁸ Muhammad committed carjacking and attempted robbery on the same day in Richmond City, later receiving a total sentence of 40 years with 28 suspended.²⁵⁰⁹

B. Facts of Geriatric Conditional Release-Eligible Offenses

On April 2, 2002, Muhammad approached a teller at the Consolidated Bank and Trust at in Richmond and asked for a withdrawal slip.²⁵¹⁰ The teller gave Muhammad the slip to him, and he wrote, "I have a gun, give me the big bills."²⁵¹¹ The teller was reaching for money when Muhammad reached over the counter and unsuccessfully tried to grab the money.²⁵¹² Muhammad then ran from the bank.²⁵¹³

As Muhammad ran, he encountered [REDACTED], who was standing next to her vehicle.²⁵¹⁴ Muhammad tried to get in the vehicle, but [REDACTED] resisted, and Muhammad threw her to the ground.²⁵¹⁵ Muhammad fled the scene in [REDACTED]'s vehicle.²⁵¹⁶

A short time later the same day, Muhammad robbed the First Virginia Bank at Atlee Station in Hanover.²⁵¹⁷ He was tackled and detained in the parking lot by one of the bank managers, and [REDACTED]'s vehicle was found in the parking lot.²⁵¹⁸ Muhammad admitted his involvement in the attempted bank robbery and the carjacking which had occurred earlier on that date in Richmond.²⁵¹⁹ He also revealed that he had taken cash from a hardware store on Hull Street in Richmond the previous week.²⁵²⁰

C. Prior Criminal History and Institutional Discipline

Muhammad's full criminal history is listed above. Muhammad committed seven institutional infractions while incarcerated, including four counts of possession of contraband.²⁵²¹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Muhammad on November 5, 2019 at Deerfield Correctional Center.²⁵²² Muhammad discussed the drug problem that contributed to his 2002 offenses and expressed remorse for what his victims went through.²⁵²³ Upon his release,

Muhammad stated that “It’s going to seem like a strange world, but I’m going to exercise patience and perseverance to learn and adapt.”²⁵²⁴ The examiner recommended that Muhammad be granted geriatric conditional release.²⁵²⁵

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted one meeting with Muhammad’s supporters in November 2019.²⁵²⁶ On December 10, 2019, Board member A. Lincoln James voted against granting Muhammad geriatric conditional release.²⁵²⁷ On January 24, 2020, Chair Adrienne Bennett voted to grant Muhammad geriatric conditional release.²⁵²⁸ On January 25, 2020, member Kemba Pradia voted to grant Muhammad geriatric conditional release.²⁵²⁹ On February 4, 2020, member Linda Bryant cast the final necessary vote to grant Muhammad geriatric conditional release.²⁵³⁰ VPB records list the “Decision Date” in Muhammad’s case as “02/04/2020.”²⁵³¹

On February 20, 2020, Victim Input Coordinator Lisa Bowen placed a note in CORIS stating, “VICTIM RESEARCH - There are no registered victims in VINE. Information was sent to Richmond and Hanover V/W for help with victim information.”²⁵³² The next day, Bowen noted that Richmond Victim/Witness had responded and stated it did not have any information to share.²⁵³³ On March 17, 2020, Bowen placed another note in CORIS stating, “VICTIM RESEARCH COMPLETE - No response from Hanover V/W office. No further research necessary. Ready to certify.”²⁵³⁴

Chair Adrienne Bennett placed a note in CORIS on March 29, 2020 stating “Ready to Certify.”²⁵³⁵ VPB certified its decision to grant Muhammad geriatric conditional release on March 30, 2020.²⁵³⁶ VPB staff mailed a notification of Muhammad’s upcoming release to an unidentified Commonwealth’s Attorney’s office on April 1, 2020; there is no evidence that the notification was received.²⁵³⁷ VPB employee Crystal Noakes, conducting a review of victim contact in parole cases, noted on April 9, 2020 that “[n]o victims contacted regarding pending release on 4.24.20.”²⁵³⁸ Muhammad was released from Deerfield Correctional Center on April 24, 2020.²⁵³⁹

F. Adjustment to Parole Supervision

Muhammad was arrested in Louisa County on March 26, 2022 for three felonies: possession of a firearm by a convicted felon, eluding law enforcement, and possession of a schedule I/II controlled substance. Muhammad pled guilty to possession of a firearm by a convicted felon, possession of a schedule I/II controlled substance, and misdemeanor eluding police on October 20, 2022. His sentencing is scheduled for January 25, 2023.

G. Violations of Law

No violations found.

Release of Roger Forbes

A. Sentencing Information

Roger Forbes was convicted of robbery, malicious wounding, two counts of use of a firearm in the commission of a felony, and two counts of assault and battery in Richmond City in 1990.²⁵⁴⁰ He was sentenced to life in prison plus 26 years and 10 days.²⁵⁴¹ Forbes was also convicted of robbery and use of a firearm in the commission of a felony in Chesterfield in 1990.²⁵⁴² He was sentenced to 27 years with 15 suspended.²⁵⁴³ Forbes was convicted of burglary in

Richmond City later in 1990 and received a concurrent 10-year sentence.²⁵⁴⁴ Forbes' total active sentence was life in prison plus 38 years.²⁵⁴⁵

B. Facts of Parole-Eligible Offenses

During his first robbery offense in Richmond, Forbes robbed a customer who was trying to deposit money at a bank.²⁵⁴⁶ Forbes shot the customer in his stomach and hand.²⁵⁴⁷ During his second robbery offense in Chesterfield, Forbes again robbed a customer who was making a deposit at a bank.²⁵⁴⁸ Forbes' burglary offense was committed at a bank that was closed at the time.²⁵⁴⁹

C. Prior Criminal History and Institutional Discipline

Forbes' prior criminal history includes convictions for unlawfully discharging a firearm, destruction of property, trespass, and assault.²⁵⁵⁰ Forbes committed 110 institutional infractions while incarcerated, with the last infraction occurring in 2011.²⁵⁵¹ Forbes' infractions included attempting to escape from custody, 14 counts of being in an unauthorized area, 4 counts of possession of contraband, 4 counts of possession of intoxicants, 4 counts of assault, 3 counts of gathering in a threatening manner, 2 counts of fighting, and 2 counts of threatening bodily harm.²⁵⁵²

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Forbes on December 3, 2019 at Buckingham Correctional Center.²⁵⁵³ The examiner noted that Forbes accepted responsibility for his crimes and regretted hurting his victims.²⁵⁵⁴ Forbes stated that he would rather live homeless in a shelter or go hungry than rob anyone else.²⁵⁵⁵ Despite noting that Forbes' disciplinary record was "atrocious," the examiner recommended that Forbes be granted discretionary parole.²⁵⁵⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted five letters and phone calls in support of Forbes' parole consideration.²⁵⁵⁷ VPB member Linda Bryant voted to grant Forbes discretionary parole on December 9, 2019.²⁵⁵⁸ Member A. Lincoln James voted to grant Forbes parole on January 26, 2020.²⁵⁵⁹ Member Sherman Lea cast the final necessary vote to grant Forbes parole on February 24, 2020.²⁵⁶⁰ VPB records list the "Decision Date" in Forbes' case as "02/24/2020."²⁵⁶¹

On March 23, 2020, Victim Input Coordinator Lisa Bowen placed the following note in CORIS:

VICTIM RESEARCH - No registered victims in VINE. The robbery offenses took place in February and March of 1990 which predates the records for Richmond V/W. They will not have victim information. I have sent information to Chesterfield V/W for help with information about the 02/26/1990 robbery victim in that locality.

The next day, March 24, 2020, Victim Input Coordinator Bowen wrote the following note: "VICTIM RESEARCH COMPLETE – Chesterfield V/W had no victim information. No further research is necessary. Ready to certify."²⁵⁶² Chair Adrienne Bennett input a note on March 29, 2020 stating "Ready to Certify."²⁵⁶³ VPB certified its decision to grant Forbes discretionary parole on March 30, 2020.²⁵⁶⁴ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond City and Chesterfield Commonwealth's Attorneys' Offices on March 31, 2020; the Richmond Commonwealth's Attorney received the notification on April 3, 2020, and the Chesterfield Commonwealth's Attorney received the notification, but the return receipt was

undated.²⁵⁶⁵ Forbes was released from Buckingham Correctional Center on June 4, 2020.²⁵⁶⁶

F. Violations of Law

VPB's decision to grant Roger Forbes discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Forbes' multiple victims before casting all the necessary votes to release him.

Release of Ronald Patterson-El, f/k/a Ronald Dennis²⁵⁶⁷

A. Sentencing Information

Ronald Dennis committed robbery and sexual battery in two separate incidents in Hampton on December 14, 1985.²⁵⁶⁸ On July 7, 1986 in Hampton Circuit Court, Dennis was sentenced to 20 years in prison with 15 suspended for robbery.²⁵⁶⁹ On July 8, 1986 in Hampton Circuit Court, Dennis was sentenced to 12 months for sexual battery.²⁵⁷⁰

On December 31, 1985 in Hampton, Dennis committed rape, forcible sodomy, robbery, and use of a firearm in the commission of a felony.²⁵⁷¹ Dennis was sentenced in Hampton Circuit Court on August 21, 1986 to 20 years for rape, five years suspended for forcible sodomy, 20 years suspended for robbery, and 2 years for use of a firearm.²⁵⁷²

On April 2, 1986, Dennis committed rape and forcible sodomy in Newport News.²⁵⁷³ Dennis was sentenced in Newport News Circuit Court on December 5, 1986 to two consecutive life terms.²⁵⁷⁴ Dennis's total active sentence was two life terms plus 27 years.²⁵⁷⁵

B. Facts of Parole-Eligible Offenses

On December 14, 1985, Dennis entered a store in Hampton at approximately 4:50 p.m.²⁵⁷⁶ Dennis pushed a 53-year-old female clerk away from the cash box.²⁵⁷⁷ Dennis demanded that the clerk open the register, but she refused.²⁵⁷⁸ Dennis then threatened to kill the clerk if she did not give him the money.²⁵⁷⁹ Dennis took approximately \$75 from the cash box and fled.²⁵⁸⁰

On December 31, 1985, Dennis entered a 7-11 store in Hampton and ordered a 26-year-old female clerk, at gunpoint, to open the register and give him the money.²⁵⁸¹ Dennis hid behind the counter when other customers entered the store.²⁵⁸² After the customers left, Dennis forced the clerk into the restroom, where he raped her and forced her to perform oral sex on him.²⁵⁸³

On April 2, 1986, at approximately 3:00 a.m., Dennis entered the home of a 75-year-old woman in Newport News by removing the window screen.²⁵⁸⁴ The victim awoke with Dennis on top of her.²⁵⁸⁵ She attempted to scream but Dennis put his hands over her mouth.²⁵⁸⁶ She tried to move, but Dennis twisted her arm and forced her onto her stomach.²⁵⁸⁷ Dennis then removed her nightclothes and raped and sodomized her.²⁵⁸⁸ Dennis next blindfolded the victim, asked where her money was, was and threatened to kill her if she did not produce any.²⁵⁸⁹ The victim recognized Dennis at this time as her next-door neighbor's nephew.²⁵⁹⁰ She was able to escape and ran naked down the street seeking help.²⁵⁹¹ The victim passed away in December 1986.²⁵⁹²

C. Prior Criminal History and Institutional Discipline

As the parole examiner noted, Dennis's "[c]riminal history began as juvenile with [a] lengthy record and subject exhausted all the juvenile system[']s offerings."²⁵⁹³ Before his rape convictions, Dennis was convicted of disorderly conduct, failure to appear, trespassing, and

unlawful possession of a concealed weapon.²⁵⁹⁴ Dennis committed seven institutional infractions while incarcerated, including possession of drugs.²⁵⁹⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Dennis for the eighth time on January 13, 2020 at State Farm Correctional Center.²⁵⁹⁶ The examiner noted that Dennis admitted he was guilty of his offenses even though he had pled not guilty to one of the rapes.²⁵⁹⁷ The examiner noted that Dennis's COMPAS recidivism assessment showed that he presented a high risk of general recidivism and a medium overall risk.²⁵⁹⁸ The examiner recommended against release.²⁵⁹⁹

E. Parole Board Deliberations and Victim and Prosecutor Contact

Between 2005 and 2020, VPB noted twelve different contacts from family members and supporters on behalf of Dennis.²⁶⁰⁰ On February 10, 2020, VPB member Sherman Lea voted against granting Dennis parole.²⁶⁰¹

On February 14, 2020, Chair Adrienne Bennett input a note stating "Victim research and medical update requested."²⁶⁰² In an email to Victim Input Coordinator Lisa Bowen on the same day, Chair Bennett stated "I am requesting a medical update and victim research (not input)."²⁶⁰³ In a February 18, 2020 note, Bowen noted that there were four anonymous phone numbers and one anonymous email registered in the VINE system, two of which were for Dennis's wife and one of which was for a Best Buy store.²⁶⁰⁴ Bowen noted that she had reached out to the Hampton and Newport News Victim/Witness offices for more information.²⁶⁰⁵ The next day, Bowen noted that Hampton Victim/Witness staff responded and could not provide any information about Dennis's Hampton rape victim due to the age of the case.²⁶⁰⁶ The next day, February 20, 2020, Bowen input the following note:

VICTIM RESEARCH COMPLETE - Newport News V/W director gave me the name of the rape victim as [REDACTED] and old address and birthday information. Using this information I believe I located the victim in the database. She is showing as deceased [REDACTED] and has no relatives listed in her report. No further research is necessary.²⁶⁰⁷

On March 16, 2020, Chair Bennett voted to grant Dennis parole.²⁶⁰⁸ The same day, Chair Bennett input a note stating "SVP [sexually violent predator] screen requested."²⁶⁰⁹ On March 22, 2020, member Linda Bryant voted to grant Dennis parole.²⁶¹⁰ The same day, member Kemba Pradia cast the final necessary vote to grant Dennis parole.²⁶¹¹ VPB records list the "Decision Date" in Dennis's case as "03/22/2020."²⁶¹² On March 31, 2020, Chair Bennett input a note stating "Ready to certify," and VPB certified its decision to grant Dennis parole later the same day.²⁶¹³ The results of the sexually violent predator screening had not been provided to VPB at the time VPB certified its decision to grant Dennis parole.

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Newport News Commonwealth's Attorney's Office on April 3, 2020; VPB had no record showing that it sent a notification to the Hampton Commonwealth's Attorney's Office.²⁶¹⁴ The Newport News Commonwealth's Attorney's office received the notification, but the return receipt was undated.²⁶¹⁵ On May 14, 2020, VPB member Linda Bryant input a note stating that on April 13, 2020, she had received an email from VADOC indicating that no further action was needed with regard to Dennis's sexually violent predator assessment.²⁶¹⁶ Dennis was released from State Farm

Correctional Center on July 23, 2020.²⁶¹⁷

F. Violations of Law

VPB's decision to grant Ronald Dennis (a/k/a Ronald Patterson-El) discretionary parole violated Va. Code § 53.1-136(3)(c), because although Dennis was released on parole for convictions from Hampton and Newport News, VPB only documented a notification to the Newport News Commonwealth's Attorney's Office of its decision to release Dennis.

Release of Ronald Powers

A. Sentencing Information

Ronald Powers was convicted of first-degree murder in Wise in 1984 and sentenced to life in prison.²⁶¹⁸ He was convicted of feloniously injuring a correctional officer in Buckingham in 1988 and sentenced to one year.²⁶¹⁹

B. Facts of Parole-Eligible Offenses

On June 18, 1982 at the Austin Motel in Pound, VA, Powers and a female friend, [REDACTED], got in an argument because Powers had flooded the engine of [REDACTED]'s car, causing it to catch on fire.²⁶²⁰ During the argument, Powers struck [REDACTED] in the head with his fists and choked her to death.²⁶²¹ The cause of death was determined to be ligature strangulation.²⁶²²

C. Prior Criminal History and Institutional Discipline

Powers has prior convictions for two burglaries, DUI, and leaving the scene of an accident.²⁶²³ He had multiple DUI-related charges pending in Kentucky at the time of the murder.²⁶²⁴ Powers committed 12 institutional infractions while incarcerated, including 2 assaults and 9 instances of possessing, being under the influence of, or manufacturing intoxicants.²⁶²⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Powers on December 18, 2019 at Augusta Correctional Center.²⁶²⁶ Powers acknowledged the serious damage that alcohol can cause and stated that he had learned how to control his temper.²⁶²⁷ Powers claimed that he did not remember much of the offense, stating "things just got out of hand and I took off."²⁶²⁸ Powers stated that he hoped VPB would look at his age and consider that he had tried to prepare himself for the future.²⁶²⁹ The examiner recommended that Powers be granted parole.²⁶³⁰

E. Parole Board Deliberations and Victim and Prosecutor Contact

The family of Powers' murder victim, including the victim's sister, wrote VPB in 1994, 1999, 2004, 2007, and 2008 to oppose Powers' release.²⁶³¹ The family noted that it was not possible to have an open-casket funeral because of the damage Powers inflicted on her.²⁶³² The family asked VPB to consider that the victim's children had to grow up without a mother because of Powers' actions, and believed that Powers should have been executed for his crime.²⁶³³

VPB received one letter on Powers' behalf in 2010.²⁶³⁴

On January 31, 2020, VPB member Sherman Lea voted to grant Powers discretionary parole.²⁶³⁵ On March 22, 2020, member Linda Bryant voted to grant Powers parole.²⁶³⁶ On March 26, 2020, member A. Lincoln James voted to grant Powers parole.²⁶³⁷ The same day, member

Kemba Pradia cast the final necessary vote to grant Powers parole.²⁶³⁸ VPB records list the “Decision Date” in Powers’ case as “03/26/2020.”²⁶³⁹ VPB documented no efforts to identify or contact any other members of Powers’ victim’s family regarding Powers’ parole consideration.²⁶⁴⁰

On March 31, 2020, Chair Adrienne Bennett input a note stating, “Ready to certify.”²⁶⁴¹ VPB certified its decision to grant Powers discretionary parole the same day.²⁶⁴² VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to an unidentified Commonwealth’s Attorney’s Office on April 3, 2020; there is no evidence that the notification was received.²⁶⁴³ Powers was released from Augusta Correctional Center on August 12, 2020.²⁶⁴⁴

F. Violations of Law

VPB’s decision to grant Ronald Powers discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the family of Powers’ murder victim during his 2020 parole consideration before casting the necessary votes to release Powers. Similarly, VPB documented no efforts to contact the correctional officer Powers was convicted of injuring before voting to release Powers.

Release of Sam Lloyd

A. Sentencing Information

On December 11, 1975, Sam Lloyd was sentenced to 25 years (40 years with 15 suspended) for robbery in Fairfax Circuit Court.²⁶⁴⁵ Lloyd was released on parole in 1982;²⁶⁴⁶ he was arrested in May 1983 in Fairfax for two counts of robbery, abduction, burglary, and 3 counts of use of a firearm in the commission of a felony.²⁶⁴⁷ He was sentenced in Fairfax Circuit Court on December 2, 1983 to 50 years for one robbery, 35 years for another robbery, 30 years for abduction, and 20 years for burglary; he received ten years for the three counts of use of a firearm in the commission of a felony.²⁶⁴⁸ Lloyd also received two years with one suspended for escaping from custody in Powhatan Circuit Court on January 23, 1985.²⁶⁴⁹ Lloyd’s total active sentence was 136 years.²⁶⁵⁰

B. Facts of Parole-Eligible Offenses

On April 24, 1983 at 11:45 p.m., [REDACTED] and [REDACTED] were at home at in Annandale preparing to retire for the evening.²⁶⁵¹ There was a knock at the door, and Ms. [REDACTED] answered, opening the door less than one foot.²⁶⁵² Ms. [REDACTED] saw a woman with a notebook in her hand, as well as Sam Lloyd and his codefendant, who were armed with handguns.²⁶⁵³ Ms. [REDACTED] slammed the door and ran into a bedroom inside the home.²⁶⁵⁴ Lloyd and the other man entered the home; the woman with the notebook stayed outside.²⁶⁵⁵ Lloyd and the other man repeatedly told the women that all they wanted was the drugs and money.²⁶⁵⁶ The women told the gunmen they did not know what they were talking about.²⁶⁵⁷ The gunmen then tied both women up with duct tape and ransacked the house looking for drugs and money.²⁶⁵⁸

A short time later, Mr. [REDACTED], who also lived at that address, arrived home.²⁶⁵⁹ Lloyd’s codefendant forced Mr. [REDACTED] into his bedroom at gunpoint and ordered him to open a safe.²⁶⁶⁰ The safe was empty, so the gunman forced Mr. [REDACTED] to lay on the floor while he robbed him.²⁶⁶¹ Lloyd then held Mr. [REDACTED] at gunpoint while the codefendant searched the house.²⁶⁶²

Lloyd switched places with the codefendant and began searching and ransacking another bedroom.²⁶⁶³ Lloyd put a gag over Ms. [REDACTED]’s mouth.²⁶⁶⁴ When the gag slid down her chin, Lloyd used the barrel of his gun to push the gag back up into her mouth.²⁶⁶⁵

Lloyd's codefendant took Ms. [REDACTED] into the basement, and at gunpoint, he threatened to sexually abuse her and use her as a "dart board."²⁶⁶⁶ The gunman then took her back upstairs and tied her up with duct tape.²⁶⁶⁷

During these events, Lloyd and his codefendant did not wear masks.²⁶⁶⁸ Lloyd and his codefendant kept repeating that because the victims could identify them, they knew how the incident had to end.²⁶⁶⁹ Each victim later told the police they believed Lloyd and the other man were going to kill them.²⁶⁷⁰ Lloyd's codefendant later decided to take the keys to one of the victims' vehicles, at which point he and Lloyd left the home.²⁶⁷¹

Lloyd escaped from Deep Mountain Correctional Center on March 6, 1984, and he was arrested in Washington, D.C. on August 12, 1984.²⁶⁷² While an escape charge was pending, Lloyd mailed death threats to the presiding judge and his defense attorney.²⁶⁷³

C. Prior Criminal History and Institutional Discipline

Lloyd's lengthy juvenile criminal history began at age eight in 1960; he was in and out of institutions for multiple charges from truancy to assault on a police officer to burglary.²⁶⁷⁴ Lloyd committed 12 institutional infractions while incarcerated, including two escapes from custody (one from Fairfax County Jail, one from VADOC custody that resulted in prosecution), two instances of refusal to take a drug test, three instances of possession of contraband, and fighting.²⁶⁷⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Lloyd at Augusta Correctional Center on February 12, 2020.²⁶⁷⁶ The examiner noted that Lloyd's most recent COMPAS recidivism assessment listed a high risk of general recidivism and a medium risk of violent recidivism.²⁶⁷⁷

The examiner noted concerns with Lloyd's cognitive state and ability to communicate, reporting that Lloyd rambled without a coherent theme.²⁶⁷⁸ The examiner recommended against granting Lloyd parole, as had the prior 24 examiners who had interviewed him.²⁶⁷⁹

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB documented no attempts to identify or contact any of Lloyd's victims at any time.²⁶⁸⁰ In a March 23, 2017 note, Chair Adrienne Bennett wrote "Although offender has served a lengthy sentence, his Compas scores are HIGH risk for both violent and general recidivism."²⁶⁸¹

On February 28, 2020, Board member A. Lincoln James voted against granting Lloyd parole.²⁶⁸² On March 24, 2020, VPB member Kemba Pradia voted to grant Lloyd parole.²⁶⁸³ On March 27, 2020, member Sherman Lea voted to release Lloyd.²⁶⁸⁴ The same day, member Linda Bryant cast the final necessary vote to release Lloyd.²⁶⁸⁵ VPB records list the "Decision Date" in Lloyd's case as "03/27/2020."²⁶⁸⁶ On March 31, 2020, Chair Adrienne Bennett posted a note stating "Ready to certify," and VPB certified its decision to grant Lloyd parole the same day.²⁶⁸⁷

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Powhatan and Fairfax Commonwealth's Attorney's Offices on April 3, 2020; both offices received the notification, but the return receipts were undated.²⁶⁸⁸ Lloyd was released from Augusta Correctional Center on May 11, 2020.²⁶⁸⁹

F. Violations of Law

VPB's decision to grant Sam Lloyd parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Lloyd's multiple robbery and abduction victims.

Release of Taquan Rodgers

A. Sentencing Information

19-year-old Taquan Rodgers committed robbery and conspiracy to commit robbery in Virginia Beach in 2015.²⁶⁹⁰ In January 2018, Rodgers was sentenced in Virginia Beach Circuit Court to 10 years suspended, conditioned on completion of the youthful offender program and a maximum commitment of 4 years to the Department of Corrections.²⁶⁹¹

B. Facts of Parole-Eligible Offenses

On November 6, 2015, victim [REDACTED] drove to Mayfair Apartments in Virginia Beach to purchase an item for sale on OfferUp.²⁶⁹² [REDACTED] had difficulty finding the seller's apartment, and as he attempted to contact the seller, he noticed Rodgers' codefendant Hasaan Burton watching him.²⁶⁹³ Burton knocked on an apartment door and said "come out."²⁶⁹⁴ Rodgers and another man came from around the side of the building.²⁶⁹⁵ One of the men had a handgun and demanded [REDACTED]'s phone and cash, which he surrendered.²⁶⁹⁶ The men then fled.²⁶⁹⁷ Rodgers claimed that he had nothing to do with the robbery but admitted that he was a lookout for police or anyone else who might walk up.²⁶⁹⁸

C. Prior Criminal History and Institutional Discipline

Rodgers had prior convictions for vehicular trespass and petit larceny.²⁶⁹⁹ He did not commit any institutional infractions while incarcerated.²⁷⁰⁰

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Rodgers at Indian Creek Correctional Center on August 13, 2019.²⁷⁰¹ The examiner noted that a recent COMPAS risk assessment showed that Rodgers presented a medium risk of general recidivism.²⁷⁰² Rodgers noted that his codefendant was killed in October 2018 during what he was told was another robbery.²⁷⁰³ Rodgers stated that he regretted committing the robbery and wasting time in prison while he could have been doing something positive.²⁷⁰⁴ Rodgers expressed remorse for the victim, stating he would not want to have the same crime committed against him.²⁷⁰⁵ Rodgers stated that he wanted to give back to others once he was released.²⁷⁰⁶ The examiner recommended that Rodgers be granted parole.²⁷⁰⁷

E. Parole Board Deliberations and Victim and Prosecutor Contact

On October 8, 2019, Chair Adrienne Bennett voted to grant Rodgers discretionary parole. On October 9, 2019, member A. Lincoln James voted to grant Rodgers parole. On October 22, 2019, member Kemba Pradia cast the final necessary vote to grant Rodgers discretionary parole. Board records list the "Decision Date" in Rodgers' case as "10/22/2019."²⁷⁰⁸

On November 5, 2019, a prison counselor made the following entry in Rodgers' Facility Notes after Rodgers exhibited disruptive behavior at a Probation and Parole panel:

Mr. Rodgers showing up to the panel, being disrespectful does not display the

willingness to deter further criminal behavior and, furthermore, shows his refusal to work on his rightful living journey. Mr. Rodgers had legitimate questions and concerns, but failed to filter how those questions conveyed to the probationers. Mr. Rodgers showed signs of not being open to obtaining help with problems that may occur while on probation/parole, such as employment, residence, finances, or other personal problems that will be of concern in his attempt to adjust to life after prison.²⁷⁰⁹

After attending an additional probation/parole panel where Rodgers appeared and acted appropriately, Chair Adrienne Bennett placed the following note in CORIS on December 6, 2019:

We met this offender while at ICC on 12/6/2019. He inquired about his parole answer. Needs victim research (robbery) and to monitor his behavior. He began having problems in October. Appears to be improving and he is under a 30 day behavior contract that began on 11/20/2019.²⁷¹⁰

On February 5, 2020, Victim Input Coordinator Lisa Bowen placed a note in Rodgers' CORIS file stating "VICTIM RESEARCH - No registered victim in VINE. I sent victim information to Virginia Beach V/W for help with contact information."²⁷¹¹ On February 13, 2020, Bowen noted the following: "VICTIM RESEARCH - Virginia Beach V/W provided contact information for robbery victim [REDACTED]. Sent notification letter with response deadline Friday, March 6, 2020."²⁷¹² On March 11, 2020, Bowen input the following note: "VICTIM RESEARCH COMPLETE - No response received from victim notification letter. No further research is necessary. Ready to certify."²⁷¹³

Chair Bennett placed a note in Rodgers' file on March 29, 2020 stating "Ready to certify."²⁷¹⁴ VPB certified its decision to grant Rodgers discretionary parole on March 30, 2020.²⁷¹⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Virginia Beach Commonwealth's Attorney's Office on March 31, 2020; there is no evidence the notification was received.²⁷¹⁶ Rodgers was released from Indian Creek Correctional Center on April 28, 2020.²⁷¹⁷

F. Violations of Law

VPB's decision to grant Taquan Rodgers discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Rodgers' victim before casting all the necessary votes to release Rodgers.

VPB's decision to grant Taquan Rodgers discretionary parole further violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Virginia Beach Commonwealth's Attorney's Office at least 21 business days prior to Rodgers' release.

Release of Theodore Reavis

A. Sentencing Information

On July 6, 1974, then-22-year-old Theodore Reavis committed first-degree murder in Lunenburg County.²⁷¹⁸ He pled guilty and was sentenced to life in prison in Lunenburg Circuit Court on October 7, 1974.²⁷¹⁹ On March 27, 1981, Reavis was sentenced to two years in prison in Richmond Circuit Court for possession of drugs as a prisoner.²⁷²⁰ Reavis was released on discretionary parole in 1992.²⁷²¹ His discretionary parole was revoked in 1995 for multiple criminal traffic convictions and a positive drug test.²⁷²² He was again released on discretionary

parole in 2005.²⁷²³ In 2007, Reavis was arrested for driving under the influence (second offense) and driving on a revoked or suspended driver's license.²⁷²⁴ Reavis' DUI conviction resulted in a second revocation of his discretionary parole on the murder conviction.²⁷²⁵

B. Facts of Parole-Eligible Offenses

On July 6, 1974, Reavis and the victim, [REDACTED], were arguing inside Reavis's home about their wives after driving around together and drinking beer and whiskey with two other friends.²⁷²⁶ Certain remarks about the two men's wives had been exchanged during the drive, leading to a brief fight that was broken up by the driver.²⁷²⁷ The four men arrived at Reavis's home, and he invited them in to drink some beer, which he had in his refrigerator.²⁷²⁸

When the men entered the home, there was no beer in the refrigerator. Reavis went into another room and armed himself with a single-barrel shotgun.²⁷²⁹ He approached the victim and said he was going to kill him.²⁷³⁰ At close range, Reavis shot the victim in the chest, then reloaded the shotgun and shot him again in the abdomen.²⁷³¹ After the shooting, Reavis walked to his employer's home, told him what he had done, and asked him to call his wife.²⁷³²

C. Prior Criminal History and Institutional Discipline

Reavis was convicted of DUI in 2006 but continued on supervision in lieu of a parole revocation.²⁷³³ In addition to the 2007 DUI that resulted in the revocation of his parole, Reavis had multiple prior DUIs, drunk in public, cursing a police officer, and disorderly conduct predating his murder conviction.²⁷³⁴ Reavis committed six institutional infractions while incarcerated.²⁷³⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Reavis on January 27, 2020 at the State Farm Enterprise Unit.²⁷³⁶ Reavis admitted that parole had not worked out for him previously because of his drinking problem.²⁷³⁷ Reavis stated that while alcohol was the factor behind his murder conviction and both of his parole violations, he could not afford to mess with alcohol at all. The examiner recommended against granting Reavis parole.²⁷³⁸

E. Parole Board Deliberations and Victim and Prosecutor Notification

VPB documented no victim research or contact efforts for Reavis's murder victim or any surviving relatives.²⁷³⁹ VPB noted three instances of input in support of Reavis in 2011, 2012, and 2013.²⁷⁴⁰ In a 2016 note, then-VPB member Adrienne Bennett noted "Offender has been in 9 years on a violation. No infractions since 4/2010. Excellent work history while incarcerated."²⁷⁴¹

Reavis was eligible for geriatric conditional release, but VPB records reflect that Reavis was considered for and granted discretionary parole.²⁷⁴² On January 27, 2020, Chair Adrienne Bennett voted to grant Reavis discretionary parole.²⁷⁴³ On March 7, 2020, member Kemba Pradia voted to grant Reavis parole.²⁷⁴⁴ On March 25, 2020, member Sherman Lea voted to grant Reavis parole; member Linda Bryant cast the final necessary vote to grant Reavis parole the same day.²⁷⁴⁵ Board records list the "Decision Date" in Reavis's case as "03/25/2020."²⁷⁴⁶ On March 31, 2020, Chair Adrienne Bennett input a file note stating "Ready to certify," and VPB certified its decision to grant Reavis parole the same day.²⁷⁴⁷

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond and Lunenburg Commonwealth's Attorney's Offices on April 3, 2020; the Richmond

Commonwealth's Attorney's Office received the notification on April 9, 2020, and the Lunenberg Commonwealth's Attorney's Office received the notification on April 10, 2020.²⁷⁴⁸ Reavis was released from the State Farm Enterprise Unit on April 30, 2020.²⁷⁴⁹

F. Violations of Law

VPB's decision to grant Theodore Reavis discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the family of Reavis's murder victim.²⁷⁵⁰

VPB's decision to grant Theodore Reavis discretionary parole further constituted two violations of Va. Code § 53.1-136(3)(c), because VPB failed to notify the Richmond and Lunenberg Commonwealth's Attorneys' offices at least 21 business days prior to Reavis's release.

Release of Timothy Matthews

A. Sentencing Information

On January 17, 1990 and April 4, 1990, in the city of Alexandria, Timothy Matthews committed two offenses of selling cocaine.²⁷⁵¹ Matthews was sentenced to consecutive four-year terms in Alexandria Circuit Court on July 10, 1990.²⁷⁵² Matthews was released on discretionary parole in 1991.²⁷⁵³ On April 18, 1994 in Alexandria, while still on parole, 23-year-old Matthews committed first-degree murder, use of a firearm in the commission of murder, and possession of a firearm by a convicted felon.²⁷⁵⁴ Matthews was sentenced to life in prison plus eight years in Alexandria Circuit Court on December 22, 1994.²⁷⁵⁵

B. Facts of Parole-Eligible Offenses

On April 18, 1984, sixteen-year-old [REDACTED] was walking down a street in Alexandria when he saw a female friend walking the same direction on the opposite side of the street.²⁷⁵⁶ [REDACTED] was on the way to pick his little sister up from school.²⁷⁵⁷ A car drove up and stopped in front of [REDACTED], and one of the men in the car yelled out to the girl as she walked down the street.²⁷⁵⁸ Matthews was in the back seat of the car. Matthews' friend, Antoine Sanders, called out to [REDACTED] about a person named Tom.²⁷⁵⁹ The victim shook his head, said he didn't know what or who they were talking about, and continued to walk by.²⁷⁶⁰

Matthews told Sanders to "call that young'un back here" while a female inside the car pleaded with Sanders not to let Matthews out of the car.²⁷⁶¹ Matthews then got out of the car and approached the victim. Matthews pulled a handgun and pointed it at the boy's stomach.²⁷⁶² The boy raised his hands, and Matthews shot him in the stomach.²⁷⁶³ Matthews then calmly walked back to the car and got in; the car then slowly drove away.²⁷⁶⁴

An autopsy showed that the bullet lodged in the boy's spine after severing an artery.²⁷⁶⁵ Police recovered the handgun Matthews had used to kill the boy, and the pattern on the bullet recovered during the autopsy was consistent with the gun's rifling characteristics.²⁷⁶⁶

C. Prior Criminal History and Institutional Discipline

Matthews' additional criminal history before his convictions for selling cocaine and murder includes two misdemeanor assaults and trespassing.²⁷⁶⁷ Matthews committed 13 institutional infractions while incarcerated, including four instances of possession of contraband.²⁷⁶⁸

D. Parole Examiner Interview and Recommendation

A parole examiner conducted Matthews' twelfth parole interview on October 29, 2019 at Augusta Correctional Center.²⁷⁶⁹ Matthews told the examiner that he had done 25 years, and that incarceration had been good from him and changed his outlook on life.²⁷⁷⁰ He stated that at the time of his crimes, he had lost track of himself and his worth, and was running wild and thought the street life was what was 'happening.'²⁷⁷¹ Matthews claimed without evidence that he and the victim got into an argument, things got heated, they pushed each other, and then the gun came out and "I shot him."²⁷⁷² Matthews said that the victim was basically a stranger, and there was allegedly a "beef" over some "he said she said" in the neighborhood.²⁷⁷³ Matthews later clarified that there wasn't really a beef between him and the victim; Matthews said that he had just grown up "in the 'hood without a dad and was trying to prove himself."²⁷⁷⁴ The parole examiner wrote that Matthews still appeared to be a "high risk" and recommended against releasing him.²⁷⁷⁵

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted opposition to parole from the victim's mother and father in 2005, 2006, and 2007; this input was unsolicited and was not the result of VPB outreach.²⁷⁷⁶ VPB noted significant support for Matthews' parole consideration over the years, including 34 letters and two meetings with VPB members.²⁷⁷⁷ On August 12, 2019, Chair Adrienne Bennett met with Matthews' mother, two of his sisters, and one of his friends for a "board appointment."²⁷⁷⁸

During their 'board appointment' with Chair Bennett, Matthews' family made multiple unsubstantiated allegations about his crimes, including an allegation that the victim was not actually 16 when Matthews murdered him and an allegation that the victim had swallowed cocaine and had his stomach pumped.²⁷⁷⁹ In response to the false allegations, Chair Bennett replied that "the details of the crime just don't make sense."²⁷⁸⁰ Matthews' sister also placed Chair Bennett on notice that the victim's family was still living, noting that "the victim's family do not speak to her- they cross the street when they see her."²⁷⁸¹

On December 15, 2019, VPB member Linda Bryant voted against granting Matthews discretionary parole.²⁷⁸² The next day, member Kemba Pradia voted to grant Matthews parole.²⁷⁸³ On December 20, 2019, member A. Lincoln James voted against granting Matthews parole.²⁷⁸⁴

On January 19, 2020, Chair Bennett input a note stating "The sixteen year old murder victim's mother is continuing to receive VINE notification via mail."²⁷⁸⁵ However, Chair Bennett apparently conducted no research or follow-up on this assertion, which was later proven false.

On February 17, 2020, VPB member Sherman Lea voted to grant Matthews parole.²⁷⁸⁶ On February 27, 2020, Chair Adrienne Bennett emailed member Linda Bryant the following:

On Thu, Feb 27, 2020 at 7:57 PM Bennett, Adrienne <adrienne.bennett@vpb.virginia.gov> wrote:

Hi LB -

This case is stuck with 3 grant, 2 not grant vote. I voted to grant - basing much of my decision on the Board Appointment. If you want to maintain a NG that is totally fine with me. I am not asking you to change your vote - only to take a 2nd look, Forwarding this case back to you to review.

Adrienne L. Bennett
Chair
Virginia Parole Board

Bryant replied several hours later:

On Thu, Feb 27, 2020 at 11:08 PM Bryant, Linda <linda.bryant@vpb.virginia.gov> wrote:
Definitely willing to reconsider. Can Lisa reach out and get victim input on this one?

Linda L. Bryant
Virginia Parole Board
[6900 Atmore Drive](#)
[Richmond, Virginia 23225](#)
(804) 351-6228 (Mobile)

On March 2, 2020, Bryant emailed Victim Input Coordinator Lisa Bowen the following:

From: [Bryant, Linda \(VPB VFE\)](#)
To: [Bowen, Lisa \(VPB VFE\)](#)
Subject: Fwd: Matthews, Timothy C1095168
Date: Monday, March 2, 2020 7:23:11 PM

Hi Lisa -

Can you get victim input on this case (Timothy Matthews, 1095168). This case is stuck with 3 grant votes (ALB is one of the grant votes). I voted to NG. I'm not sure I want to change my vote without getting victim input - something about this case just gets to me.....ALB said it was fine for me to ask you to reach out to get victim input. Thank you!

Linda L. Bryant
Virginia Parole Board
6900 Atmore Drive
Richmond, Virginia 23225
(804) 351-6228 (Mobile)

On March 4, 2020, Victim Input Coordinator Bowen replied: "Hi Linda: I called the phone number in VINE for the mother. It is no longer in service. The database is showing that she is no

longer at the address indicated in VINE also. There was no additional phone number. I can send a victim notification letter to the new address in the database if you would like for me to. Let me know. L.”²⁷⁸⁷ Bowen also placed the following note in CORIS on March 4, 2020: “VICTIM RESEARCH - The phone number in VINE for the victim’s mother [REDACTED] is no longer in service. The address in VINE for Ms. [REDACTED] is no longer current. There were no other phone numbers showing in the database for Ms. [REDACTED].”²⁷⁸⁸

There was no further communication about victim input or contact until March 17, 2020, when Board member Bryant replied, “Tx Lisa. Adriane, (sic) I just voted to Grant. Looks like he is one that does not need any further home plan investigation by Clyde.”²⁷⁸⁹ Chair Bennett replied:

Lisa- Do have [sic] a certain current address for victim’s mom? Did she provide it or Is the database your research data base? Is she receiving notification at the address?

If she let her VINE lapse - I don’t think we need to hunt her down to extract input. What do you think?

Linda - Do you want Lisa to send a victim notification letter to the mom?²⁷⁹⁰

Victim Input Coordinator Bowen replied to Bennett and Bryant a short time later:

Hi there: The victim’s mom did not keep her address updated in VINE. I do have a current address for her from the database. From what I can tell her notification letters are not being returned so maybe she has them being forwarded to her new address. She has been receiving notifications so I don’t think we need to send an additional notification. Her last notification documented was for the October 2019 interview. L.”²⁷⁹¹

Sixteen minutes later, Bryant replied: “Hi everyone, I agree w Lisa. No need to send another notification letter.”²⁷⁹² Bryant changed her vote to “grant” the same day.²⁷⁹³ VPB records list the “Decision Date” in Matthews’ case as “03/17/2020.”²⁷⁹⁴

On March 31, 2020, Chair Bennett input a note stating “Ready to certify.”²⁷⁹⁵ VPB certified its decision to grant Matthews parole the same day.²⁷⁹⁶ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Alexandria Commonwealth’s Attorney’s Office on April 3, 2020, and that office received the notification on April 13, 2020.²⁷⁹⁷

On April 14, 2020, a representative of the Alexandria Victim/Witness program emailed VPB Victim Input Coordinator Bowen; the representative was concerned about whether VPB performed a victim notification and offered to provide the victim contact information available to them.²⁷⁹⁸ On April 15, 2020, Bowen replied: “Good morning Judy: The victim’s mother is registered in VINE so she has been receiving notifications through the automated system. L.”²⁷⁹⁹

Matthews was released from Augusta Correctional Center on May 18, 2020.²⁸⁰⁰

F. Violations of Law

VPB’s decision to grant Timothy Matthews discretionary parole violated Va. Code § 53.1-155(B). VPB members cast three of the four necessary votes to release Matthews before victim contact was considered. VPB later decided against conducting more thorough research despite realizing that it possessed outdated contact information for the murder victim’s mother.

Release of Tony McCadden

A. Sentencing Information

Then-41-year-old Tony McCadden committed 2 counts of aggravated malicious wounding in Roanoke City in July 1999.²⁸⁰¹ He was sentenced to 40 years in prison.²⁸⁰²

B. Facts of Geriatric Conditional Release-Eligible Offenses

On the night of July 3, 1999 in Roanoke City, Tony McCadden, the 50-year-old female victim, and others were on the victim's front porch socializing.²⁸⁰³ McCadden had left for a few hours, but returned to the victim's residence later that night, as the two were planning to take a beach trip the next day.²⁸⁰⁴ The victim went to bed after McCadden returned.²⁸⁰⁵ McCadden woke the victim up because he wanted money for crack cocaine.²⁸⁰⁶ The victim refused, and McCadden stabbed her 30 times until she gave up and laid on the floor.²⁸⁰⁷

McCadden then pulled out a dresser drawer in the victim's bedroom and went through it.²⁸⁰⁸ He dumped the contents of the victim's purse on the bed and stole her car keys.²⁸⁰⁹ He then went to the bathroom and cleaned up, leaving blood on a towel in the sink.²⁸¹⁰ McCadden also left a bloody shirt and jeans on the floor of the bedroom near where the victim was still laying.²⁸¹¹ McCadden deadbolted the door on his way out and left the victim to die.²⁸¹²

The victim was able to call 911 and told first responders to break down the door.²⁸¹³ Police found her laying on the floor, unclothed, with multiple stab wounds in her back, face, chest, abdomen, and defensive wounds on both hands.²⁸¹⁴

C. Prior Criminal History

McCadden has prior convictions for possession of cocaine (dismissed as a first offender), shoplifting, petit larceny, possessing alcohol in a city park, and drunk in public.²⁸¹⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed McCadden on February 12, 2020 at Green Rock Correctional Center.²⁸¹⁶ McCadden stated that he vaguely remembered the details of the crime, and claimed that he called the victim from jail and she forgave him.²⁸¹⁷ According to McCadden, the victim understood that he was a different person when he was using drugs.²⁸¹⁸ McCadden stated that he was better equipped to deal with his substance abuse issues, and that programs in prison had helped him.²⁸¹⁹ The examiner recommended that McCadden be granted geriatric release.²⁸²⁰

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB records contain no other notes or information about victim contact until after voting was complete on McCadden's case.²⁸²¹ On March 17, 2020, VPB member Sherman Lea voted to grant McCadden geriatric conditional release.²⁸²² On March 19, 2020, Chair Adrienne Bennett voted to grant McCadden geriatric release.²⁸²³ The same day, member A. Lincoln James cast the final necessary vote to grant McCadden geriatric release.²⁸²⁴ VPB records list the "Decision Date" in McCadden's case as "03/19/2020."²⁸²⁵

On March 19, 2020, Victim Input Coordinator Lisa Bowen input a CORIS note stating "VICTIM RESEARCH - Malicious wounding victim [REDACTED] is registered for notifications in VINE. She lives in [REDACTED]."²⁸²⁶ On March 31, 2020, Chair Adrienne Bennett input a note

stating “Ready to certify.”²⁸²⁷ VPB certified its decision to release McCadden the same day.²⁸²⁸ McCadden was released from Green Rock Correctional Center on April 15, 2020. A VPB employee mailed a notification²⁸²⁹ of McCadden’s upcoming release to the Roanoke City Commonwealth’s Attorney on April 3, 2020; the notification was received on April 10, 2020.²⁸³⁰

On April 3, 2020, Victim Input Coordinator Lisa Bowen input a CORIS note stating “VICTIM NOTIFICATION - There is one anonymous phone number registered in VINE. It is ringing “not in service.” The victim [REDACTED] will be notified of the offender's upcoming release via letter.”²⁸³¹ In July 2020, VPB employee Shirley Smith noted that the “Victim notification letter returned as undeliverable.”²⁸³²

F. Violations of Law

No violations found.

Release of Toronto McCall

A. Sentencing Information

On March 22, 1994 in Norfolk, 15-year-old Toronto McCall Jr. committed first-degree murder, robbery, use of a firearm in the commission of a felony, and conspiracy.²⁸³³ McCall was sentenced in Norfolk Circuit Court on October 11, 1995 to 80 years for first-degree murder, 30 years for robbery, three years for use of a firearm, and ten years for conspiracy.²⁸³⁴ McCall’s total sentence was 123 years.²⁸³⁵

B. Facts of Parole-Eligible Offenses

On March 22, 1994, 19-year-old Norview High School student [REDACTED] and McCall’s codefendant, Clubbie Eaddy, arrived at McCall’s home in Norfolk.²⁸³⁶ The codefendant told McCall and his brother that the victim had approximately \$600 cash.²⁸³⁷ McCall then entered his home and returned with a .357 revolver hidden on his person.²⁸³⁸ McCall, codefendant Eaddy, and the victim rode together to a shopping center, at which time [REDACTED] entered one store and McCall and Eaddy entered another.²⁸³⁹ While alone, McCall and Eaddy discussed robbing [REDACTED].²⁸⁴⁰ They then rode together to a different location in Norfolk, where McCall and the victim exited the car and shared some marijuana.²⁸⁴¹ While smoking, McCall pulled out his gun and told the victim to turn over all his property.²⁸⁴² [REDACTED] then allegedly reached for his own gun, and McCall shot and killed him.²⁸⁴³ McCall then took the victim’s gun, pager, and wallet, got back in the car with Eaddy, and fled.²⁸⁴⁴

C. Prior Criminal History and Institutional Discipline

As a juvenile in 1991, McCall was sentenced to probation for burglary and petit larceny.²⁸⁴⁵ In 1993, McCall was charged with possession of cocaine with intent to distribute; McCall was a fugitive for some time, and the charge was eventually reduced to possession of cocaine.²⁸⁴⁶ McCall was adjudicated delinquent of assault & battery in August 1993 and placed on probation.²⁸⁴⁷

McCall committed 81 institutional infractions while incarcerated:²⁸⁴⁸

- Interfering with an employee in the performance of their duties in May 2019
- Tampering with a security device in April 2019
- Being in an unauthorized area in January 2019
- Failure to follow institutional rules and regulations in October 2018

- Being under the influence of drugs (suboxone) in July 2018
- 21 instances of disobeying an order
- Eleven additional instances of being in an unauthorized area
- Five instances of possession of contraband
- Two instances of fighting
- Indecent exposure
- Stealing
- Setting a fire
- Lying/giving false information
- Destruction of property
- Possession of a cell phone
- Two additional counts of interfering an employee in the performance of their duties
- One additional count of being under the influence of drugs

D. Parole Examiner Interview and Recommendation

No parole interview was conducted with McCall in 2019.²⁸⁴⁹ McCall's case was brought back to VPB for voting under "Board Review" status.²⁸⁵⁰ The only information available to VPB members at the time they voted was the 2018 parole examiner's interview. The absence of a 2019 parole interview became evident when OAG investigators retrieved the 2020 Parole Board Member Summary for McCall's case. That summary began by noting how "On Tuesday, 06/19/2018, Parole Examiner Patricia Barnes-Goodwyn conducted an in person Parole interview with Offender Toronto McCall . . ."²⁸⁵¹

Contemporaneous emails show that VPB skipped McCall's 2019 interview and voted his case based on the 2018 examiner interview. On Tuesday, March 31, 2020, member Linda Bryant wrote to Chair Adrienne Bennett and VPB Administrator Tracy Schlagel, noting that McCall had not been interviewed for his annual parole consideration; Chair Bennett replied with a suggestion that VPB substitute McCall's 2018 parole interview as the current year's report:

From: **Bennett, Adrienne** <adrienne.bennett@vpb.virginia.gov>
 Date: Tue, Mar 31, 2020 at 12:31 PM
 Subject: Re: examiner date for Toronto McCall 1101020
 To: Bryant, Linda <linda.bryant@vpb.virginia.gov>

We cannot advance on the docket if we have registered victims. Did you get Lisa to check? Has he been interviewed before? If no registered victims we could put him in circulation for a vote with last year's report.

On Tue, Mar 31, 2020 at 12:28 PM Bryant, Linda <linda.bryant@vpb.virginia.gov> wrote:
 Hi Tracy,

Just circling back to see if we can advance the interview date. I did not have a chance to talk to Adrienne about this last night - so many other things we had to get through - so wanted to check back w you first. Adrienne - no victim opposition on this case. Juv at time of offense and pardon pet filed a few years ago.

--

Linda L. Bryant
Virginia Parole Board
[6900 Atmore Drive](#)
[Richmond, Virginia 23225](#)
(804) 351-6228 (Mobile)

After Victim Input Coordinator Lisa Bowen replied to Bryant, Bennett, and Schlagel about the status of victim input, Chair Bennett directed VPB Administrator Schlagel to send McCall's case to member Bryant for a vote, with "last year's" parole interview substituted:

On Tue, Mar 31, 2020 at 12:40 PM Bennett, Adrienne <adrienne.bennett@vpb.virginia.gov> wrote:

Thank you Lisa. Tracy - will you go ahead and put last year's interview in Linda's queue. Linda - follow him once you vote if you want him done today. I will grant once he is in my queue.

Voting on McCall's case then proceeded using the 2018 parole examiner summary. That summary noted, in relevant part, that McCall was then coming up for his 14th parole interview while housed at Sussex II prison.²⁸⁵² No parole examiner had ever recommended that McCall be released on parole.²⁸⁵³ The 2018 examiner noted that McCall's COMPAS recidivism assessment showed that he posed a medium risk of general recidivism.²⁸⁵⁴

According to the 2018 parole examiner, McCall had not held employment at Sussex II since July 2018 for incurring too many infractions and being placed in segregation.²⁸⁵⁵ McCall told the examiner that he started selling crack cocaine at age 13; he was making \$2,500 per week when arrested for murder.²⁸⁵⁶ The examiner asked McCall why he should be granted parole, and he responded, "I've been in here since I was 15 years old! I know I deserve a second chance!"²⁸⁵⁷

The 2018 parole examiner recommended against releasing McCall, noting that "his adjustment remains unstable as evidenced by incurring three (3) institutional infractions and using unprescribed drugs this review period," and remarking that McCall "is still a risk to the community as indicated by the COMPAS score."²⁸⁵⁸

Following McCall's 2018 parole examiner interview, McCall incurred four new institutional infractions as discussed above. Because Chair Bennett directed the use of the 2018 examiner interview in place of a proper 2019 interview, VPB members were not placed on notice of McCall's subsequent infractions unless they researched the case themselves.

E. Parole Board Deliberations and Victim and Prosecutor Contact

Chair Adrienne Bennett and VPB members Linda Bryant and Kemba Pradia voted to grant McCall discretionary parole on March 31, 2020.²⁸⁵⁹ VPB records list the "Decision Date" in

McCall's case as "03/31/2020."²⁸⁶⁰

VPB took two meetings and three phone or letter contacts from McCall's supporters during his parole eligibility.²⁸⁶¹ VPB noted initial opposition to McCall's release from the victim's father in 2006, followed by his approval of McCall's release in 2019.²⁸⁶²

Chair Adrienne Bennett input two notes into CORIS on March 31, 2020 stating "Ready to certify,"²⁸⁶³ and VPB certified its decision to grant McCall parole the same day.²⁸⁶⁴ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk Commonwealth's Attorney's Office on April 3, 2020, and that office received the notification on April 10, 2020.²⁸⁶⁵ McCall was released from Sussex II State Prison on April 21, 2020.²⁸⁶⁶

F. Adjustment to Supervision

McCall was arrested in Hampton on February 21, 2021 for committing domestic assault & battery against his wife.²⁸⁶⁷ ████████ told his probation officer that she felt McCall was overwhelmed and didn't know how to handle being in society since he did so much time incarcerated.²⁸⁶⁸ McCall had also been associating with known gang members and felons.²⁸⁶⁹ ████████ further stated that McCall lied about having COVID-19 symptoms because he didn't want to report to his parole officer after using cocaine and other drugs.²⁸⁷⁰

On April 20, 2021 in Hampton Juvenile and Domestic Relations Court, McCall was convicted of domestic assault and battery and given a suspended 6-month jail sentence; McCall appealed the conviction to Hampton Circuit Court.²⁸⁷¹ The charge against McCall was withdrawn by the prosecution (*nolle prosequi*) on December 14, 2022.

On August 11, 2022, McCall was arrested again in Hampton for committing domestic assault and battery against his wife.²⁸⁷² McCall failed to make contact with his parole officer to inform the officer of his arrest.²⁸⁷³ McCall failed to appear in court, and a warrant for failure to appear was issued on September 20, 2022.²⁸⁷⁴ McCall was processed on the failure to appear warrant in October 2022, but he again failed to contact his parole officer upon his release from custody.²⁸⁷⁵ McCall's senior parole officer approved the issuance of a PB-15 parole violation warrant in November 2022.²⁸⁷⁶

G. Violations of Law

Virginia law requires VPB to give each parole-eligible offender an annual review. McCall received no such review in 2019. While VPB took a "board appointment" with McCall's supporters in 2019, VPB deviated from normal practice and failed to conduct an interview with McCall that year. VPB's failure to review McCall's case in 2019 violated the annual review requirement of Va. Code § 53.1-154.

VPB's decision to grant McCall parole in 2020 also violated Va. Code § 53.1-155(A), which requires "a thorough investigation . . . into the prisoner's history, physical and mental condition and character and his conduct, employment and attitude while in prison." Chair Bennett's decision to substitute McCall's 2018 parole interview for use in March 2020 deprived VPB of a *current* investigation into McCall's suitability for parole. A COMPAS assessment conducted in December 2019 indicated that McCall still presented a medium risk of general recidivism, but McCall's ongoing elevated risk level was not reported to VPB members.²⁸⁷⁷ VPB members who voted on McCall's case were also shielded from the fact that McCall had 81 prior

institutional infractions, including four such infractions since his 2018 parole review. For those reasons, VPB's decision to grant McCall parole in 2020 violated Va. Code § 53.1-155(A).

VPB's decision to grant McCall parole further violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Norfolk Commonwealth's Attorney's Office at least 21 business days prior to McCall's release.

Release of Tyrone Ragland

A. Sentencing Information

22-year-old Tyrone Ragland was sentenced to life in prison for first-degree murder in Fairfax Circuit Court on December 20, 1991.²⁸⁷⁸

B. Facts of Parole-Eligible Offense

While an inmate at Lorton Reformatory in Fairfax on June 15, 1991, Ragland approached a fellow inmate, [REDACTED], from behind, armed with a shank and wearing a mask.²⁸⁷⁹ Ragland then stabbed [REDACTED] once in the heart with the shank.²⁸⁸⁰ Ragland fled after discarding the mask and shank, but he was arrested a short time later.²⁸⁸¹ [REDACTED] died from the single stab wound.²⁸⁸² At the time of the offense, Ragland maintained his innocence.²⁸⁸³ Ragland's conviction was affirmed by the Virginia Court of Appeals in a published opinion.²⁸⁸⁴ The Court of Appeals noted that a correctional officer heard Ragland threaten to kill somebody a week prior to his murder, and that Ragland wrote a note to a witness to the murder directing the witness to lie on his behalf.²⁸⁸⁵

C. Prior Criminal History and Institutional Discipline

At the time of his murder offense, Ragland had been incarcerated for roughly 30 days on parole violations related to three convictions in Washington, D.C. for felony unauthorized use of a vehicle.²⁸⁸⁶ Ragland received a plea deal in which thirty instances of unauthorized use of a vehicle were reduced to three counts.²⁸⁸⁷ Ragland referred to his crime spree as involving "petty things" like "kids joy riding in stolen cars."²⁸⁸⁸ Shortly before he committed murder in prison, Ragland was arrested twice in D.C. for carrying a pistol without a license.²⁸⁸⁹ Ragland was noted to have a lengthy juvenile record in addition to these charges and convictions.²⁸⁹⁰

Ragland committed 30 institutional infractions while incarcerated.²⁸⁹¹ He was convicted of fighting on April 22, 2020, less than one month before his eventual release.²⁸⁹² Ragland additionally was found to be in possession of drugs in June 2018.²⁸⁹³ Ragland's other institutional infractions include possession of a weapon or shank at Powhatan Correctional Center in 2014, 2 instances of possession of contraband, 2 instances of interfering with an employee in the performance of their duties, and threatening bodily harm.²⁸⁹⁴

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Ragland on December 13, 2019 at Nottoway Correctional Center for his thirteenth parole consideration.²⁸⁹⁵ Ragland claimed that the murder victim attacked him before the stabbing.²⁸⁹⁶ Ragland additionally claimed that he did not mean to kill the victim, alleging that he "meant to stab him out of peer pressure and perceived threats."²⁸⁹⁷ Ragland noted that Lorton Prison was a very dangerous place.²⁸⁹⁸ Ragland stated that he had a good support system and that he did not worry about failing on parole.²⁸⁹⁹ Ragland told the examiner that "I am labeled a killer but I am not an evil person, I would like to redeem myself, to have a chance to

show I can be a better person and be a productive citizen.”²⁹⁰⁰ The parole examiner recommended against granting Ragland parole.²⁹⁰¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

In a 2006 note, VPB employee Brenda Marriott wrote “*****Researched all files and VINE. No surviving victim located.”²⁹⁰² VPB noted five in-person meetings between VPB members and Ragland’s supporters, as well as two letters received on Ragland’s behalf.²⁹⁰³

On December 18, 2019, member Linda Bryant input a note stating “Requested victim research.”²⁹⁰⁴ On February 26, 2020, Bryant voted to grant Ragland discretionary parole; no victim contact information appeared in VPB files at this time.²⁹⁰⁵ VPB records indicate that this was the second round of voting on Ragland’s case in 2020, but the first round of votes is not stored.²⁹⁰⁶

On February 28, 2020, Victim Input Coordinator Lisa Bowen emailed the Fairfax County Victim/Witness program to request information about the victim and any surviving family members.²⁹⁰⁷ A Fairfax Victim/Witness representative wrote back on March 4, 2020 stating that no information could be located.²⁹⁰⁸ The same day, Bowen placed a note in CORIS stating “VICTIM RESEARCH - Fairfax V/W had no information regarding family members of the victim [REDACTED]. They provided the attached police report. I was not able to locate the victim in the database.”²⁹⁰⁹

On March 13, 2020, Chair Adrienne Bennett voted to grant Ragland parole.²⁹¹⁰ On March 26, 2020, member A. Lincoln James voted to release Ragland.²⁹¹¹ On March 27, 2020, member Sherman Lea cast the final necessary vote to release Ragland.²⁹¹² VPB records list the “Decision Date” in Ragland’s case as “03/27/2020.”²⁹¹³ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Fairfax Commonwealth’s Attorney’s Office on April 6, 2020; that office received the notification, but the return receipt was undated.²⁹¹⁴ Ragland was released from Lawrenceville Correctional Center on May 19, 2020.²⁹¹⁵

F. Violations of Law

No violations found.

Release of Tyson Golden

A. Sentencing Information

Tyson Golden was convicted of first-degree murder, 4 robberies, 4 counts of malicious wounding, 6 companion counts of use of a firearm in the commission of a felony, abduction, and burglary in Roanoke City in 1987.²⁹¹⁶ Golden was sentenced to 3 life sentences plus 118 years, with two of the life terms running concurrently.²⁹¹⁷

B. Facts of Parole-Eligible Offenses

Each of Golden’s three robberies were home invasions occurring within four days in December 1986.²⁹¹⁸ In a home invasion on December 12, 1986, Golden and codefendants tied up two victims and beat them in the head while demanding money, gold, and silver.²⁹¹⁹ The men then forced the female victim onto the bed and fired a shot over her head. The men ransacked the apartment and left the scene.²⁹²⁰

In a home invasion on December 13, 1986, Golden and codefendants beat a female victim

in the face before taking money and forcing her into the closet.²⁹²¹

On December 16, 1986, Golden and codefendants beat a 91-year-old man to death and severely wounded his 87-year-old wife.²⁹²² The woman died in a nursing home in May 1987.²⁹²³

C. Prior Criminal History and Institutional Discipline

Golden's prior convictions include burglary, 2 counts of grand larceny, grand larceny from the person (reduced from robbery by violence), credit card theft, credit card fraud, property damage, and petit larceny.²⁹²⁴ Golden committed 41 institutional infractions while incarcerated, including 3 instances of assault, 2 instances of property damage, 2 instances of possession of intoxicants, indecent exposure, fighting, and possession of contraband.²⁹²⁵

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Golden on September 26, 2019 at Buckingham Correctional Center.²⁹²⁶ This was Golden's first discretionary parole interview.²⁹²⁷ The examiner noted that Golden's recent COMPAS risk assessment showed a medium risk for general recidivism and violent recidivism.²⁹²⁸

The examiner noted that Golden had not completed any institutional programming during his incarceration.²⁹²⁹ Golden told the examiner that he had never been able to come up with a good answer as to why he committed his crimes, stating that he was raised in the church and had good parents.²⁹³⁰ Golden stated that years in the penitentiary had taught him to respect authority and himself.²⁹³¹ Golden felt he was a good candidate for parole because he had learned respect for others, would find a job, and did not want to bring any more shame on his family.²⁹³² The examiner recommended against releasing Golden: "Parole is not recommended due to overall institutional record, history of violence, serious nature and circumstances of the crimes, multiple victims of violence/home invasions, criminal record and need to see a longer period of stable adjustment prior to any grant consideration."²⁹³³

E. Parole Board Deliberations and Victim and Prosecutor Contact

Tyson Golden was correctly deemed ineligible for discretionary parole by VADOC under Va. Code § 53.1-151(B1) for multiple unrelated convictions of armed robbery and murder. Nevertheless, Chair Adrienne Bennett restored Golden's discretionary parole eligibility under § 53.1-151(B1) in a 2019 letter. For the reasons more fully discussed in Section V of this report, the restoration of Golden's parole eligibility was unlawful.

VPB member Sherman Lea took one meeting with Golden's supporters in November 2019.²⁹³⁴ On November 25, 2019, Lea voted against granting Golden discretionary parole, citing the reasons "Serious nature and circumstances of your offense(s); The Board considers you to be a risk to the community."²⁹³⁵ The same day, VPB member A. Lincoln James voted against releasing Golden, citing the reasons "Release at this time would diminish seriousness of crime; Extensive criminal record."²⁹³⁶ On January 11, 2020, member Linda Bryant voted to grant Golden parole.²⁹³⁷ The same day, Bryant input a note in Golden's CORIS file stating that Golden's codefendant had been released on parole in 2017, and that victim notification letters at that time did not receive responses.²⁹³⁸ Bryant noted that she was requesting victim research, stating "I am voting to grant to move this case along b/c I believe I have enough info . . . I am willing to consider new information and change my vote if needed."²⁹³⁹

On January 14, 2020, Chair Adrienne Bennett voted to grant Golden discretionary parole.²⁹⁴⁰ On January 16, 2020, member A. Lincoln James reversed his vote and cast the final necessary vote to release Golden.²⁹⁴¹ VPB records list the “Decision Date” in Golden’s case as “01/16/2020.”²⁹⁴² VPB records also indicate that this was the second round of voting on Golden’s case, but the first round of votes is not stored.²⁹⁴³

On February 10, 2020, Victim Input Coordinator Lisa Bowen input a note into Golden’s file stating the following:

VICTIM RESEARCH - Found murder victims [REDACTED] and [REDACTED] in the database. Both do not have relatives in their report. The December 12, 1986 victim [REDACTED] I believe is deceased (according to the database in May 1987). The 12/13/1986 victim [REDACTED] was found in the database. A victim notification letter was sent with a response deadline of March 2, 2020. Victim research was conducted for co-defendant Day #1108121 by Emily Sattie. Note entered into CORIS 10/07/2016 – letters sent to victims. No response.”²⁹⁴⁴

On March 4, 2020, Bowen placed another note in Golden’s file stating “VICTIM RESEARCH COMPLETE - No response from victim notification letter. No further research is necessary. Ready to certify.”²⁹⁴⁵ On March 29, 2020, Chair Adrienne Bennett placed a note in Golden’s file stating “Ready to Certify.”²⁹⁴⁶ VPB certified its decision to grant Golden discretionary parole on March 30, 2020.²⁹⁴⁷ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Roanoke City Commonwealth’s Attorney’s Office on March 31, 2020; the office received the notification, but the return receipt was undated.²⁹⁴⁸ Golden was released from Haynesville Correctional Center on April 3, 2020.²⁹⁴⁹

In a May 11, 2020 email titled “re: OSIG” to Secretary of Public Safety and Homeland Security Brian Moran and Deputy Secretary Nicky Zamostny, VPB Chair Tonya Chapman wrote the following regarding Golden:

He actually received the requisite grant votes in January 2020. He was ready for certification on March 29th and released on April 3rd. **(His case is similar to [Debra] Scribner, where the 21 day notice to the CWA was not adhered to)**

F. Violations of Law

VPB’s decision to grant Tyson Golden discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact Golden’s multiple victims before casting all the necessary votes to release Golden.

VPB’s decision to grant Tyson Golden discretionary parole additionally violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Roanoke City Commonwealth’s Attorney’s Office at least 21 business days prior to Golden’s release.

Release of Victor Brown

A. Sentencing Information

Victor Brown’s initial convictions in Stafford Circuit Court for robbery, use of a firearm in the commission of a felony, receiving stolen property, and driving on a suspended license occurred in 1995–96.²⁹⁵⁰ Brown received a total active sentence of six years and nine months.²⁹⁵¹

In 2004, Brown was convicted in Stafford Juvenile and Domestic Relations Court of assault & battery.²⁹⁵² Brown was convicted in the same court in 2005 of violating a protective order and contempt of court.²⁹⁵³ Brown incurred a parole violation in early 2006, and he was released on mandatory parole on February 13, 2006.²⁹⁵⁴ Five days later, Brown was arrested for burglary and violation of a protective order by entering the home of the protected party in Stafford County.²⁹⁵⁵ Brown was sentenced to five years and six months for these charges in Stafford Circuit Court on October 11, 2006.²⁹⁵⁶ Brown was convicted of probation violations on his 1995 and 1996 convictions thereafter in Stafford Circuit Court, receiving ten additional years to serve.²⁹⁵⁷

B. Facts of Parole- and Geriatric Conditional Release-Eligible Offenses

In December 1996, Brown's codefendant enlisted Brown to help him rob a store to get money because he had a child on the way.²⁹⁵⁸ Brown drove the codefendant to the Lake Arrowhead 7-11 on Garrisonville Road in Stafford County.²⁹⁵⁹ The codefendant entered the 7-11 between 1:00 and 1:30 a.m., dressed in black, with a ski mask covering his face and a gun in his hand.²⁹⁶⁰ Brown's codefendant forced the female clerk to the floor, screaming at her "Give me the motherfuckin' money . . . give the fuckin' money now."²⁹⁶¹ The clerk was terrified and hysterical, and she brought out some money, which the codefendant took and then fled.²⁹⁶²

A sheriff's deputy was driving down Garrisonville Road and saw the robbery happening.²⁹⁶³ The deputy also saw Brown parked in front of the 7/11 in the stolen Mercedes.²⁹⁶⁴ Brown saw the deputy approaching and began to drive away, peeling out and driving down Garrisonville Road.²⁹⁶⁵ The deputy followed, noticing that the car's lights were flickering on and off.²⁹⁶⁶ Brown wrecked the Mercedes off Ebenezer Church Road with deputies in pursuit.²⁹⁶⁷ Brown fled into the woods, and before he was caught, he threw away a gun, which was found in a field about 20 feet away from where he threw it.²⁹⁶⁸ A K9 search tracked Brown to Fauquier County, but he escaped at that time.²⁹⁶⁹ Brown returned to the same 7/11 again at 6:30 a.m. and was recognized by a different employee.²⁹⁷⁰

On February 18, 2006, Brown kicked in the door of his former girlfriend's apartment and assaulted her by attempting to choke her.²⁹⁷¹ The victim was able to get free and attempt to call 911, but Brown took the phone from her and then fled.²⁹⁷² Brown was under a protective order issued by the Stafford Juvenile and Domestic Relations Court at the time of the offense that named his former girlfriend as the protected person.²⁹⁷³

C. Prior Criminal History and Institutional Discipline

Brown has prior convictions for 3 counts of assault and battery, as well as felony and misdemeanor unauthorized use of a vehicle.²⁹⁷⁴ Brown committed four institutional infractions while incarcerated, including assault against an offender in 2018 and harassment of a private citizen in 2016 and 2017.²⁹⁷⁵

D. Parole Examiner Interview and Recommendation

Brown completed a PB-16 form in January 2020 indicating that he had no interest in discretionary parole; as a result, Brown did not participate in a parole interview.²⁹⁷⁶ The examiner noted that Brown's most recent COMPAS risk assessment showed a high risk of violent recidivism.²⁹⁷⁷ The examiner wrote that "Per the signed request of the subject, recommend no action in reference to Discretionary Parole Release."²⁹⁷⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB records contain no information regarding victim research or contact.²⁹⁷⁹ On March 27, 2020, VPB member Kemba Pradia voted against granting Brown discretionary parole, citing the following reason: “The Board concludes that you should serve more of your sentence prior to release on parole.”²⁹⁸⁰ On March 28, 2020, VPB members Sherman Lea and Linda Bryant voted to grant Brown discretionary parole.²⁹⁸¹ Member Bryant placed a note in Brown’s file the same day stating “Release date is in two months; given coronavirus backdrop, I am voting to grant.”²⁹⁸² On March 31, 2020, member A. Lincoln James cast the final necessary vote to release Brown.²⁹⁸³

Chair Bennett input a note on March 31, 2020 stating “Ready to certify,”²⁹⁸⁴ and VPB certified its decision to grant Brown discretionary parole the same day.²⁹⁸⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Stafford Commonwealth’s Attorney’s Office on April 3, 2020; the office received the notification, but the return receipt was undated.²⁹⁸⁶ Brown was released from Haynesville Correctional Center on May 26, 2020.²⁹⁸⁷

F. Adjustment to Supervision

Brown was arrested for felony 3rd offense domestic assault and battery in Louisa County in 2022; he was acquitted in July 2022.²⁹⁸⁸ Brown’s parole officer approved a minor parole violation in September 2022 after Brown tested positive for amphetamines.²⁹⁸⁹

G. Violations of Law

No violations found.

Release of Walter Lawson

A. Sentencing Information

On September 18, 1989 in Norfolk Circuit Court, 18-year-old Walter Lawson was sentenced pursuant to his guilty pleas to charges of capital murder, six counts of robbery, five counts of use of a firearm in the commission of a felony, two counts of burglary, and two counts of conspiracy.²⁹⁹⁰ Lawson’s total active sentence was life in prison plus 60 years.²⁹⁹¹

B. Facts of Parole-Eligible Offenses

On November 1, 1988, two U.S. Navy sailors were walking down the street on East Ocean View Avenue in Norfolk when Lawson and three codefendants jumped and beat them and took approximately \$1,200.²⁹⁹² One of the sailors was held down while Lawson’s codefendant, Darnell Sumrell, threatened the sailor with a sawed-off shotgun and violently kicked him.²⁹⁹³

On November 3, 1988, Lawson and his three codefendants were in a car when they spotted three U.S. Navy sailors, pulled the car over, and began to chase them.²⁹⁹⁴ When they caught up with the sailors on East Ocean View Avenue, one of Lawson’s codefendants pointed a 12-gauge sawed-off shotgun at the sailors.²⁹⁹⁵ One of the victims ran, but Lawson and his codefendants pushed another sailor up against a car and demanded his money.²⁹⁹⁶ When the victim refused, the shotgun and a handgun were brandished and pointed at his ribs, and Lawson and a codefendant beat him in the face.²⁹⁹⁷ The men took the victim’s wallet, which contained \$113.²⁹⁹⁸

On November 3, 1988 at approximately 10:50 a.m., Lawson and his three codefendants walked up to a male and female victim at the Ramada Inn located at 719 East Ocean View Avenue

in Norfolk.²⁹⁹⁹ The men threw the victims against a wall and put a sawed-off shotgun to the male's head.³⁰⁰⁰ The men then robbed the victims of their car keys, \$335, and the female's jacket.³⁰⁰¹

On November 8, 1988, Lawson and one of his codefendants entered a residence located at [REDACTED] in Norfolk through a closed and locked garage door.³⁰⁰² The other two codefendants were acting as lookouts nearby.³⁰⁰³ Lawson and the other man took several watches valued at approximately \$800.³⁰⁰⁴

On November 9, 1988, Lawson and his three codefendants broke down the front door of a home located at [REDACTED] in Norfolk.³⁰⁰⁵ Lawson and his codefendants ransacked the home and stole a .30-.30 rifle and a .38 caliber handgun.³⁰⁰⁶

Later on the same day, November 9, 1988, Lawson and his three codefendants developed a plan to rob and kill a cab driver.³⁰⁰⁷ The men agreed that Lawson would commit this particular murder, and they also agreed to a "death pact" where the remaining three gang members would also commit murders.³⁰⁰⁸ The group discussed calling themselves the "Necrophiliacs," but settled on the "Deathstalkers."³⁰⁰⁹ Lawson's codefendant Darnell Sumrell had already committed a murder three days earlier.³⁰¹⁰

The four men drove to the Norfolk Airport, where Lawson was left to carry out their plan.³⁰¹¹ Cab driver [REDACTED], a married father of a two-year-old, picked up Lawson and drove him to a marina in Norfolk.³⁰¹² Lawson's codefendants were hidden a short distance away to assist him.³⁰¹³ When the victim stopped the cab, Lawson shot him in the back.³⁰¹⁴ The victim initially fell over but then turned around to look at Lawson, who then shot him in the face.³⁰¹⁵ After killing the victim, Lawson's codefendant got in the cab and ransacked the glove compartment.³⁰¹⁶ No money was found in the cab, but Lawson searched the victim's body, removed his wallet, and found \$60.³⁰¹⁷

After counting the murder victim's money on the evening of November 9, 1988, the men were unhappy with the amount of money the murder yielded, and they decided to commit another robbery.³⁰¹⁸ After driving around Norfolk looking for a place to commit their next robbery, the men selected the Meadows Lounge on Johnston Road.³⁰¹⁹ Two of the men went inside the establishment to surveil it, and the group agreed that the two men who had not yet fulfilled the group's "death pact" would kill someone inside the lounge.³⁰²⁰ The men left the area briefly to get weapons.³⁰²¹ When they returned to the lounge, they discovered that it was closed and the door was locked.³⁰²² They waited outside to see if anyone would come out, but no one did.³⁰²³ They then placed a telephone call to the lounge to see if anyone was inside, but when no one answered, they gave up and left.³⁰²⁴ Lawson was arrested on November 11, 1988 and confessed his involvement in each of these offenses.³⁰²⁵

C. Prior Criminal History and Institutional Discipline

Lawson's institutional disciplinary history is unknown, because he was being held in a Maryland state prison.³⁰²⁶ Lawson had no prior criminal history before his 1989 crime spree.³⁰²⁷

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed at Maryland Correctional Training Center in Hagerstown, MD on February 25, 2020.³⁰²⁸ The examiner noted that a COMPAS recidivism assessment had not been performed on Lawson.³⁰²⁹ At the time of his parole interview, Lawson was under

investigation by jail staff for an undisclosed offense and was then housed in the segregation unit.³⁰³⁰ When asked why he was in segregation, Lawson said that jail administration felt that he was too close to the officers.³⁰³¹ The examiner recommended against granting Lawson parole, noting the senseless circumstances of the execution-style murder.³⁰³²

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB documented no efforts to research, identify, or contact the victims of Lawson's offenses.³⁰³³ The only victim-related note VPB made over the years was the following from VPB employee Shirley Smith on June 26, 2020: "VICTIM INFORMATION: The number listed in VINE belongs to Offender's mother -- she is not a victim and is anxious for her son to come home."³⁰³⁴ VPB noted receipt of 23 letters in support of Lawson at various times.³⁰³⁵ On March 26, 2020, members Kemba Pradia and Linda Bryant voted to release Lawson.³⁰³⁶ Member Sherman Lea voted to release Lawson on March 28, 2020.³⁰³⁷ Member A. Lincoln James cast the final necessary vote to release Lawson on March 31, 2020.³⁰³⁸ VPB records list the "Decision Date" in Lawson's case as "03/31/2020."³⁰³⁹ The same day, Chair Adrienne Bennett placed a note in CORIS stating "Ready to certify," and VPB certified its decision to grant Lawson parole.³⁰⁴⁰ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk Commonwealth's Attorney's Office on April 3, 2020; the notification was received on April 10, 2020.³⁰⁴¹ Lawson was released from Maryland Correctional Training Center on July 6, 2020.³⁰⁴²

F. Violations of Law

VPB's decision to grant Walter Lawson discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Lawson's victims or their families.

Release of Wayne Beckham

A. Sentencing Information

Wayne Beckham was convicted of first-degree murder, abduction, malicious wounding, two counts of attempted robbery, conspiracy, and three counts of use of a firearm in Arlington Circuit Court in 1994.³⁰⁴³ He was sentenced to life in prison plus 33 years.³⁰⁴⁴

B. Facts of Parole-Eligible Offenses

In 1993, 16-year-old Beckham and four codefendants robbed, assaulted, and murdered an employee of a gaming machine company, [REDACTED].³⁰⁴⁵ Beckham's female codefendant had purchased a gaming machine from the company which was damaged while in her possession; the machine was not functioning properly and the company could not get it repaired.³⁰⁴⁶ The company later agreed to refund her money.³⁰⁴⁷ The female codefendant suggested that Beckham and his associates, whom she knew to carry weapons, should go and teach the company a lesson and rob the place.³⁰⁴⁸ During the robbery by Beckham and his codefendants, [REDACTED] was killed, and another employee was pistol-whipped.³⁰⁴⁹

C. Prior Criminal History and Institutional Discipline

Beckham had no known criminal history prior to his 1994 convictions.³⁰⁵⁰ He committed 16 institutional infractions while incarcerated, including inciting a riot, 3 counts of fighting, and 2 counts of possession of contraband.³⁰⁵¹

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Beckham on December 4, 2018 at Buckingham Correctional Center.³⁰⁵² VPB records contain no indication that Beckham received an annual parole interview in 2019.³⁰⁵³ Beckham told the examiner that at the time of his crimes, he was hanging with a wild crowd, into nothing good, riding around robbing and shooting.³⁰⁵⁴ Beckham claimed that “I was not a murderer, I was guilty for what I did but did not kill anybody.”³⁰⁵⁵ According to Beckham, the women in his group of friends put Beckham and his associates up to the robbery and murder.³⁰⁵⁶ Beckham stated that he was very sorry for the crimes.³⁰⁵⁷ The examiner recommended that Beckham be granted parole.³⁰⁵⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted support input from Beckham’s relatives on six occasions between 2006 and 2012.³⁰⁵⁹ In January 2019, Victim Input Coordinator Lisa Bowen placed the following note in Beckham’s CORIS file:

VICTIM OPPOSITION - The family of murder victim [REDACTED] has provided opposition input for codefendant Carl[t]on Robinson Jr. DOC Inmate #1090236. I have alerted them that this offender is also currently going through a parole review. The family is adamantly opposed to the early release of co-defendant Robinson. I am expecting victim input regarding offender Beckham in the near future.³⁰⁶⁰

Bowen placed another note in Beckham’s file on January 31, 2019:

VICTIM INPUT - From [REDACTED], sister of murder victim: I am passionately disapproving of the parole of Robinson Jr.’s cohort Wayne Beckham DOC Inmate #1113487 who was involved that day in the murder of my brother [REDACTED]. Please note they were both participants in the killing and Beckham’s actions helped ensure my brother died. He helped fend off people who were there fighting trying to come to the aid[] of my brother. Beckham prevented [REDACTED]’s co-workers from coming forward to help stop the murder therefore ensuring my brother’s life was not saved. Please deny parole.³⁰⁶¹

Bowen made another entry in Beckham’s CORIS file on February 20, 2019:

VICTIM RESEARCH - This offender is a co-defendant of Carl[t]on Robinson DOC Inmate #1090236 (who is the actual shooter and is also going through parole consideration also). There is opposition input from siblings/family members of the murder victim [REDACTED] for both offenders. There are two emails and two phone numbers in VINE all for “[REDACTED]” who I assume is a relative of the offender (same last name). There is an anonymous phone number in VINE for offender Robinson. When I ran it into through the database it is only showing as an active landline but no name.³⁰⁶²

The next entry in Beckham’s CORIS file was from Chair Adrienne Bennett on April 22, 2019:

Email from counselor: In regard to offender W. Beckham I spoke to his mother and father this morning and they are on board with Beckham living with them. I think

the home is most appropriate for the offender rather than a halfway house. He has a good support system in place and will be referred to Project Empowerment a non-profit that helps parolees find jobs. My conversations with him have been very positive. He continues to be infraction free and medication compliant. I would consider him to be a good candidate for parole based on his satisfactory adjustment and behavior in corrections despite his age at incarceration and because of the support system he has in the community.³⁰⁶³

On February 27, 2020, Chair Bennett voted to grant Beckham parole.³⁰⁶⁴ On March 26, 2020, VPB member Kemba Pradia voted to release Beckham.³⁰⁶⁵ On March 30, 2020, member A. Lincoln James voted to release Beckham.³⁰⁶⁶ On March 31, 2020, member Sherman Lea cast the final necessary vote to release Beckham.³⁰⁶⁷ VPB records list the “Decision Date” in Beckham’s case as “03/31/2020.”³⁰⁶⁸ The same day, Chair Bennett input a note stating “Ready to certify,”³⁰⁶⁹ and VPB certified its decision to grant Beckham discretionary parole the same day.³⁰⁷⁰ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Arlington Commonwealth’s Attorney’s Office on April 3, 2020; there is no evidence that the notification was received.³⁰⁷¹ Beckham was released from Buckingham Correctional Center on May 11, 2020.³⁰⁷²

F. Violations of Law

No violations found.

Release of Wesley Palmer

A. Sentencing Information

Wesley Palmer was sentenced in Arlington Circuit Court on May 4, 1981 for four counts of robbery and three counts of use of a firearm in the commission of a felony for a single September 1980 bank robbery.³⁰⁷³ Palmer received consecutive sentences of 25, 32, 33, and 35 years for the robberies, and three total years for the weapon offenses.³⁰⁷⁴ While incarcerated, Palmer was convicted of possession of marijuana by an inmate in Powhatan Circuit Court in July 1984; he received a six-month sentence.³⁰⁷⁵ Palmer was further convicted of possession of heroin, cocaine and marijuana by an inmate in Richmond City Circuit Court in March 1987, receiving a seven-year sentence.³⁰⁷⁶ Palmer was released on parole on November 3, 1992.³⁰⁷⁷

In 2003, at age 52, Palmer was convicted of a federal heroin distribution offense and received a 12-year sentence.³⁰⁷⁸ Palmer’s Virginia parole was revoked upon the completion of his federal sentence in 2015.³⁰⁷⁹ Palmer’s total active state sentence was 128 years.³⁰⁸⁰

B. Facts of Parole-Eligible Offenses

On February 21, 1980, Wesley Palmer and two other men ran into the Virginia National Bank in Arlington. One of the men had an automatic weapon, which he pointed at the assistant manager.³⁰⁸¹ He then ordered her and two other employees towards the window of the lobby.³⁰⁸² The other two men were over at the teller line and in towards the vault.³⁰⁸³ The gunman kept saying, “hurry up, let’s go.”³⁰⁸⁴ The men forced all of the tellers and managers into the vault and told them to face away from the door.³⁰⁸⁵ The bank had just received a shipment of \$87,000, which was sitting in the vault; the men put the money in white “Federal bags.”³⁰⁸⁶ All three men then left the bank, leaving the employees in the unlocked vault.³⁰⁸⁷ The same day, a confidential informant told an Arlington detective that Wesley Palmer was one of the bank robbers.³⁰⁸⁸ On February 23,

1980, District of Columbia Police went to a home in D.C. to search for Palmer.³⁰⁸⁹ Palmer's mother met police and told them he was in the basement.³⁰⁹⁰ Police called down to Palmer and made verbal contact with him, but he would not come out.³⁰⁹¹ Palmer somehow escaped police by making it to the roof of the home unnoticed.³⁰⁹² He was eventually arrested on September 5, 1980.³⁰⁹³

C. Prior Criminal History and Institutional Discipline

Palmer's juvenile criminal history began at age 14, including charges for receiving stolen property, robbery, and burglary.³⁰⁹⁴ In August 1972, Palmer was convicted of armed robbery and first-degree armed burglary as an adult in United States District Court in Washington, D.C.³⁰⁹⁵ Palmer was released on parole in 1974, but while in a halfway house, he left without permission.³⁰⁹⁶ His parole was revoked, and a five-year sentence was imposed.³⁰⁹⁷ Palmer was again paroled in August 1979 after serving approximately eighteen months.³⁰⁹⁸ Palmer then committed the February 1980 Arlington bank robbery described above.³⁰⁹⁹ Palmer committed 12 institutional infractions during his first term of incarceration, including multiple offenses related to the use, possession, and manufacture of illegal drugs.³¹⁰⁰

D. Parole Examiner Interview and Recommendation

Palmer told the examiner that he thought he was a good candidate for release because he was "through," and he had been out before and knew what to do.³¹⁰¹ Palmer stated that he would make wiser decisions, that he wanted to spend the last part of his life with his family, and that he knew he would always have to address his drug problem as he has a propensity for use.³¹⁰² The examiner recommended against releasing Palmer.³¹⁰³

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted two contacts by Palmer's supporters in 2018 and 2020.³¹⁰⁴ On November 27, 2019, member Linda Bryant voted to grant Palmer discretionary parole.³¹⁰⁵ On December 8, 2019, member Kemba Pradia voted to grant Palmer parole.³¹⁰⁶ On December 19, 2019, member Sherman Lea cast the final necessary vote to grant Palmer parole.³¹⁰⁷ VPB records list the "Decision Date" in Palmer's case as "12/19/2019."³¹⁰⁸

VPB documented no attempts to identify or contact any of the victims of Palmer's bank robbery, which included three convictions for robbing three distinct victims, as well as the rest of the bank employees whom Palmer and his codefendants forced into the bank vault at gunpoint.³¹⁰⁹ On March 30, 2020, Chair Adrienne Bennett input a note stating "Ready to certify,"³¹¹⁰ and VPB certified its decision to grant Palmer parole the same day.³¹¹¹

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond and Powhatan Commonwealth's Attorneys' Offices on April 6, 2020; the Richmond Commonwealth's Attorney's Office received the notification on April 10, 2020, and the Powhatan Commonwealth's Attorney's Office received the notification on an unknown date and time.³¹¹² Palmer was released from Greensville Correctional Center on April 24, 2020.³¹¹³

F. Violations of Law

VPB's decision to grant Wesley Palmer discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Palmer's multiple robbery victims before casting all the necessary votes to grant Palmer parole.

VPB's release of Wesley Palmer also resulted in two violations of Va. Code § 53.1-136(3)(c) for failing to notify the Richmond and Powhatan Commonwealth's Attorneys' offices at least 21 business days prior to Palmer's release.

Release of William Barrett

A. Sentencing Information

William Barrett was convicted of possession of cocaine in Chesapeake in 1993 and sentenced to probation.³¹¹⁴ Later in 1993, Barrett was convicted in Chesapeake of possession of cocaine with intent to distribute, attempted escape from custody, and a probation violation.³¹¹⁵ He was sentenced to 25 years with 8 suspended.³¹¹⁶ Barrett was released on discretionary parole in April 1996.³¹¹⁷ Beginning in August 1998 and continuing into 1999, Barrett committed multiple counts of possession of heroin with intent to distribute in Norfolk.³¹¹⁸ He was convicted of three counts of possession of heroin with intent to distribute in 2000 and sentenced to 75 years with 69 years and 6 months suspended.³¹¹⁹ Barrett was released again on discretionary parole in December 2009.³¹²⁰ In December 2012, Barrett was arrested in Norfolk for possession of heroin with intent to distribute, 2nd offense.³¹²¹ He was sentenced to 20 years with 15 suspended in Norfolk in 2013,³¹²² and his discretionary parole was revoked for the 3rd time.³¹²³ Barrett's total active sentence was approximately 49 years.³¹²⁴

B. Prior Criminal History and Institutional Discipline

Barrett has additional convictions for unlawfully possessing a concealed weapon, disorderly conduct multiple criminal traffic offenses, and multiple counts of failure to appear.³¹²⁵ Barrett committed five institutional infractions while incarcerated.³¹²⁶

C. Parole Examiner Interview and Recommendation

A parole examiner interviewed Barrett on November 20, 2019 at Deerfield Correctional Center.³¹²⁷ The examiner noted that Barrett's COMPAS recidivism assessment showed a medium risk for general recidivism and a high risk for violent recidivism.³¹²⁸ Barrett told the examiner that he was better prepared now to reenter society than when he committed his most recent offense.³¹²⁹ The examiner recommended that Barrett be granted parole.³¹³⁰

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted two meetings with Barrett's supporters in 2019.³¹³¹ On January 18, 2020, VPB member Sherman Lea voted against granting Barrett discretionary parole.³¹³² On February 6, 2020, member Linda Bryant voted to grant Barrett parole.³¹³³ The same day, Chair Adrienne Bennett voted to grant Barrett parole.³¹³⁴ On February 7, 2020, member A. Lincoln James cast the final necessary vote to grant Barrett parole.³¹³⁵ VPB records list the "Decision Date" in Barrett's case as "02/07/2020."³¹³⁶ On February 21, 2020, Victim Input Coordinator Lisa Bowen correctly noted that there were no victims to contact.³¹³⁷ On March 29, 2020, Chair Bennett input a note stating "Ready to Certify."³¹³⁸ VPB certified its decision to grant Barrett discretionary parole on March 30, 2020.³¹³⁹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Chesapeake and Norfolk Commonwealth's Attorneys' Offices on March 31, 2020; the Norfolk office received the notification on April 3, 2020, and the Chesapeake office's return receipt was undated.³¹⁴⁰ Barrett was released from Deerfield Correctional Center on April 22, 2020.³¹⁴¹

E. Violations of Law

VPB's decision to grant William Barrett discretionary parole constituted two violations of Va. Code § 53.1-136(3)(c), because VPB failed to notify the Chesapeake and Norfolk Commonwealth's Attorneys' offices at least 21 business days prior to Barrett's release.

Release of William Holmes

A. Sentencing Information

William Holmes was convicted of first-degree murder and robbery in Fredericksburg Circuit Court in 1977 and sentenced to life plus 15 years.³¹⁴² He was released on parole in May 2008.³¹⁴³ In 2010, Holmes was arrested for felony 3rd offense DUI in King George.³¹⁴⁴ He was convicted and sentenced to 5 years with 2 years and 6 months suspended later the same year.³¹⁴⁵

B. Facts of Parole-Eligible Offenses

Holmes accurately described his murder offense in his own words:

"I admitted to what I did with my three codefendants when I was 19 years old. We were from King George, Virginia, and we were driving to Fredericksburg. We were basically a group of hoodlums and we wanted money to get high. So the oldest codefendant, White, came up with the idea of robbing this hotel that he had stayed at once. White went in and was registering for a room, distracting the victim. Myself and the other two came in, I panicked, and we started attacking him, kicking him repeatedly. We got the money from the cash register and we fled to Maryland. We were arrested early the next morning in Maryland. I submitted a statement to the police and told everything that happened. I had a trial with a judge. I feel remorseful and I admit what I did. I had no intention of hurting anyone and I regret that the victim was hurt and killed. I am ashamed of my part in the crime and I recognize that I was stupid to put myself in that position. I apologize for my role and I would change it if I could."³¹⁴⁶

VPB records reflect that after Holmes and his codefendants beat the victim unconscious, police responded, and the victim later died at a hospital from his injuries.³¹⁴⁷

C. Prior Criminal History and Institutional Discipline

Holmes has prior convictions for robbery, assault, petit larceny, and 2 DUIs in 2009.³¹⁴⁸ VPB held a parole violation hearing in 2010, after which Holmes was continued on parole with a special condition that he complete the Virginia Alcohol Safety Action program.³¹⁴⁹ Holmes was arrested for another parole violation in 2010 for testing positive for alcohol; VPB sanctioned him and continued him on supervision.³¹⁵⁰ Six days after his 2010 parole violation hearing, Holmes was arrested for the felony DUI that later resulted in conviction and parole revocation.³¹⁵¹

Holmes committed 15 institutional infractions while incarcerated.³¹⁵² He was convicted of fighting in 2018 and tampering with security materials in 2017, both while incarcerated at Sussex II State Prison.³¹⁵³ Holmes' other infractions included threatening bodily harm, four counts of possession of contraband, fighting, assault, and possession of stolen property.³¹⁵⁴

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed Holmes on October 29, 2019 at Sussex II State Prison.³¹⁵⁵ The examiner noted that Holmes' COMPAS recidivism assessment showed a medium risk for

general recidivism and a medium risk for violent recidivism.³¹⁵⁶ The examiner noted Holmes' remorse for his original crimes and for allowing alcohol to control his life upon his earlier release.³¹⁵⁷ The examiner recommended that Holmes be released on parole.³¹⁵⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

Holmes' CORIS file contains no material entries since 2008.³¹⁵⁹ No victim contact efforts were noted prior to Holmes' 2020 parole consideration.³¹⁶⁰ On December 27, 2019, VPB member Kemba Pradia voted to grant Holmes discretionary parole.³¹⁶¹ Chair Adrienne Bennett voted to release Holmes on January 17, 2020.³¹⁶² Member Linda Bryant voted to release Holmes on February 6, 2020.³¹⁶³ Member Sherman Lea cast the final necessary vote to release Holmes on March 17, 2020.³¹⁶⁴ VPB records list the "Decision Date" in Holmes' case as "03/17/2020."³¹⁶⁵ On March 31, 2020, Chair Bennett input a note stating "Parole Violator – Ready to Certify."³¹⁶⁶ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Fredericksburg Commonwealth's Attorney's Office on April, 2020; that office received the notification on April 10, 2020.³¹⁶⁷ Holmes was released from Sussex II State Prison on April 17, 2020.³¹⁶⁸

F. Violations of Law

VPB's decision to grant William Holmes discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the family of Holmes' murder victim.³¹⁶⁹

VPB further violated § 53.1-136(3)(c) by failing to notify the Fredericksburg Commonwealth's Attorney's Office at least 21 business days prior to Holmes' release.

Release of William Whitaker

A. Sentencing Information

William Whitaker committed rape by force, threat, or intimidation, rape of a child under the age of 13, a third count of rape, forcible sodomy, and inanimate object sexual penetration in Campbell County in May 1994.³¹⁷⁰ He was sentenced to 50 years with 20 suspended in Campbell Circuit Court on May 8, 1995.³¹⁷¹

B. Facts of Parole-Eligible Offenses

19-year-old Whitaker raped his 12-year-old female cousin three times in 1994.³¹⁷² He also forced the victim to perform sex acts that constituted forcible sodomy and inanimate object sexual penetration.³¹⁷³

C. Prior Criminal History and Institutional Adjustment

Whitaker was convicted of burglary as a youthful offender in Campbell Circuit Court in 1989.³¹⁷⁴ Whitaker was additionally convicted of petit larceny 3rd offense in Lynchburg Circuit Court in March 1991.³¹⁷⁵ He was convicted of contempt of court in Campbell General District Court later in 1991, and he escaped from custody in September 1991.³¹⁷⁶ Whitaker was sentenced to five years with four suspended in Cumberland Circuit Court for escape in April 1992.³¹⁷⁷

Whitaker was released from his multiple rape, forcible sodomy, and object sexual penetration convictions to mandatory parole supervision on April 6, 2017.³¹⁷⁸ Whitaker was also on probation supervision because he was under a partially suspended sentence.³¹⁷⁹ Whitaker

committed several technical violations of the terms of his parole in 2018, and he was arrested on a parole violation on August 7, 2018.³¹⁸⁰ After a preliminary parole violation hearing on September 14, 2018, probable cause was found that Whitaker had violated the conditions of his parole; however, Whitaker was instead continued on parole with sanctions including GPS monitoring, sex offender treatment, and travel restrictions.³¹⁸¹ After Whitaker's release, he failed to comply with the GPS monitoring requirement, and his whereabouts were unknown to his parole officer.³¹⁸² The parole violation process was again initiated, and he was found in violation and his parole was revoked in February 2019.³¹⁸³

During his incarceration, Whitaker committed 17 institutional infractions, including five counts of possession of contraband.³¹⁸⁴

D. Parole Examiner Interview and Recommendation

Whitaker was not interviewed by a parole examiner prior to being granted discretionary parole. In a letter to Whitaker after his parole was revoked in 2019, Chair Adrienne Bennett wrote, "Because you violated technical conditions of parole, your case will be reviewed with a progress report in six months if you are otherwise eligible for parole."³¹⁸⁵ A VADOC employee uploaded a progress report in November 2019 that indicated no issues with Whitaker during his incarceration.³¹⁸⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted support input on Whitaker's behalf from his attorney, who sent several support letters.³¹⁸⁷ On December 2, 2019, VPB member Linda Bryant voted against granting Whitaker discretionary parole, entering the following reason for denial: "Your prior failure(s) and/or convictions while under community supervision indicate that you are unlikely to comply with conditions of release."³¹⁸⁸ On December 4, 2019, VPB Administrator Tracy Schlagel input a note stating "SVP [sexually violent predator] screening request sent on this date."³¹⁸⁹

Screening to determine whether Whitaker was a sexually violent predator was not completed until April 20, 2020.³¹⁹⁰ In the interim, Whitaker accumulated sufficient votes in favor of parole: Chair Adrienne Bennett voted to grant Whitaker parole on December 3, 2019, member A. Lincoln James voted to grant Whitaker parole on December 5, 2019, and member Kemba Pradia voted to grant Whitaker parole on January 22, 2020.³¹⁹¹ VPB records list the "Decision Date" in Whitaker's case as "01/22/2020."³¹⁹²

VPB did not note any victim research or contact attempts before voting was complete on Whitaker's case. The sole victim-related note in Whitaker's file was placed by Victim Input Coordinator Lisa Bowen on February 10, 2020: VICTIM RESEARCH COMPLETE - Victim is no longer in VINE due to offender being released on parole in April 2017. Parole violator due to GPS. No further research is necessary. Ready to certify."³¹⁹³

Despite Bowen's assertion, OAG investigators located the victim's name, address, email address, and other contact information in the CORIS Victim Module.³¹⁹⁴ VPB notes also indicated that the victim had contacted VPB in 2013, appalled to have received a telephone call from Whitaker's aunt asking her to write a letter in support of Whitaker.³¹⁹⁵ The victim was not sure how Whitaker's family had found her and was opposed to Whitaker's release.³¹⁹⁶

On March 30, 2020, Chair Bennett input a note stating, "Ready to Certify."³¹⁹⁷ VPB

certified its decision to grant Whitaker discretionary parole the next day.³¹⁹⁸ On April 20, 2020, after all VPB members had voted to grant Whitaker parole, and after VPB had certified its decision, member Linda Bryant noted that Whitaker's sexually violent predator screening had returned indicating no further action was needed.³¹⁹⁹

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Campbell Commonwealth's Attorney's Office on April 3, 2020; no return receipt was ever provided.³²⁰⁰ Whitaker was released from Dillwyn Correctional Center on May 11, 2020.³²⁰¹

F. Violations of Law

VPB decision to grant William Whitaker discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Whitaker's rape victim.³²⁰²

Release of Yves King

A. Sentencing Information

On December 9, 1988, Yves King committed rape, robbery, and burglary in Suffolk.³²⁰³ King was sentenced in Suffolk Circuit Court on May 10, 1990 to life in prison for rape, 35 years with 15 suspended for robbery, and 20 years with 10 suspended for burglary.³²⁰⁴ King's total active sentence was life plus 30 years.³²⁰⁵

B. Facts of Parole-Eligible Offenses

King's 76-year-old female neighbor allowed King into her home on December 9, 1988.³²⁰⁶ King, then age 26, was known to the woman, and he used to cut her grass.³²⁰⁷ Once King entered the home, he took out a pair of scissors and told the woman he would kill her if she didn't give him \$100.³²⁰⁸ The victim gave King all the money she had, which was \$19.³²⁰⁹ King then ripped the phone line out of the wall and raped the victim.³²¹⁰ After raping the victim, King found a gun in the closet, which he stole after threatening to kill the victim if she contacted the authorities.³²¹¹

C. Prior Criminal History and Institutional Discipline

King had no prior criminal convictions before his rape, robbery, and burglary convictions.³²¹² King was acquitted of rape and aggravated sexual battery in 1989.³²¹³ While incarcerated, King committed 21 institutional infractions (all before 1999), including fighting, two instances of destruction of property, possession of drugs, being under the influence of drugs, gathering in a threatening manner, and two instances of possession of contraband.³²¹⁴

D. Parole Examiner Interview and Recommendation

A parole examiner interviewed King for the seventeenth time since becoming parole-eligible on October 31, 2019 at Nottoway Correctional Center.³²¹⁵ No parole examiner had previously recommended that King be released.³²¹⁶ The examiner noted that King had support from prison staff and that he had an "exemplary" behavioral and institutional record.³²¹⁷

King told the examiner that he was "never a bad guy, but immature and after graduating high school I fell into drugs, tried to work but by the day of the crimes I was an evil, diabolical person with evil in my heart." King stated that he began smoking marijuana in his teens, and by the time of the rape, he was drinking, smoking marijuana, and using crack cocaine.³²¹⁸ King told the parole examiner that he did not consider himself to be "a rapist."³²¹⁹ Taking all these factors

into consideration, including King's positive adjustment in prison and institutional support, the parole examiner recommended that VPB deny King's release.³²²⁰

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB noted support from King's family and good reports from correctional staff on four occasions during King's yearly parole considerations.³²²¹ On December 29, 2019, member Kemba Pradia voted to grant King discretionary parole.³²²² On January 19, 2020, Chair Adrienne Bennett placed a note indicating that a sexually violent predator screening had been requested. On February 5, 2020, VPB Administrator Tracy Schlagel input a note indicating that the sexually violent predator screening was complete, and "according to the CRC [VADOC Commitment Review Committee], no further evaluation is deemed necessary.

On February 5, 2020, Chair Adrienne Bennett voted to grant King parole. The next day, member A. Lincoln James cast the final necessary vote to grant King parole.³²²³ VPB records list the "Decision Date" in King's case as "02/06/2020."³²²⁴ Prior to VPB member James casting the final vote necessary to parole King on February 6, 2020, VPB documented no efforts to research the whereabouts of the victim or her family. Victim Input Coordinator Lisa Bowen noted on February 21, 2020 that King's rape victim had passed away in May 1992, and as a result, "no further research is necessary" and the case was "ready to certify."³²²⁵

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Suffolk Commonwealth's Attorney's Office on April 6, 2020, and that office received the notification on April 10, 2020.³²²⁶ King was released from Nottoway Correctional Center on June 12, 2020.³²²⁷

F. Violations of Law

No violations found.

Review of March/April 2020 Parole Releases

¹ OAG attempted to contact former Virginia Parole Board member A. Lincoln James but did not receive a response. OAG additionally attempted to contact former Virginia Parole Board member Joni Ivey but did not receive a response. OAG scheduled an interview with former Virginia Parole Board Chair Tonya Chapman, but Chapman canceled the meeting. Chapman informed OAG that her attorney would reach out to reschedule, but the attorney never contacted OAG.

² <https://www.equivant.com/wp-content/uploads/Practitioners-Guide-to-COMPAS-Core-040419.pdf>

³ The version of the prosecutor notification statute in effect during March and April 2020 was numbered as "§ 53.1-136(2)(c)." See <https://lis.virginia.gov/cgi-bin/legp604.exe?131+ful+CHAP0708&131+ful+CHAP0708>. Following statutory amendments that took effect in July 2020, the prosecutor notification statute was renumbered as "§ 53.1-136(3)(c)." To avoid confusion, all references to this statute in this report use "§ 53.1-136(3)(c)."

Albert Brown

⁴ Parole Board Member Summary 1

⁵ *Id.* at 3

⁶ *Id.*

⁷ *Id.*

⁸ CORIS Disciplinary Offense Module

⁹ Parole Board Member Summary 2

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.* at 4

¹⁴ *Id.* at 5
¹⁵ *Id.* at 5–6
¹⁶ *Id.* at 6
¹⁷ *Id.*
¹⁸ *Id.* at 5
¹⁹ *Id.*
²⁰ CORIS Parole Board Module → All Decisions
²¹ CORIS Parole Board Module → All Decisions
²² Parole Board Member Summary 5
²³ CORIS Parole Board Module → All Decisions
²⁴ *Id.*
²⁵ *Id.*
²⁶ *Id.*
²⁷ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
²⁸ Parole Board Member Summary 5
²⁹ *Id.*
³⁰ *Id.*
³¹ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
³² VPB Prosecutor Notification Log
³³ *Id.*
³⁴ *Id.*
³⁵ Facility Notes 1

Albert Watson

³⁶ Parole Board Member Summary 2–3
³⁷ *Id.* at 3
³⁸ *Id.* at 3, 5
³⁹ *Id.* at 3
⁴⁰ *Id.* at 3, 4
⁴¹ *Id.* at 3
⁴² *Id.* at 5
⁴³ *Id.*
⁴⁴ *Id.* at 3
⁴⁵ *Id.*
⁴⁶ *Id.* at 6
⁴⁷ *Id.*
⁴⁸ *Id.*
⁴⁹ *Id.* at 7
⁵⁰ *Id.*
⁵¹ *Id.*
⁵² *Id.*
⁵³ *Id.*
⁵⁴ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁵⁵ Parole Board Member Summary 8
⁵⁶ *Id.*
⁵⁷ *Id.*
⁵⁸ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁵⁹ VPB Prosecutor Notification Log
⁶⁰ Facility Notes 1

Alonza Walker

⁶¹ Parole Board Member Summary 3
⁶² *Id.*
⁶³ *Id.*
⁶⁴ Parole Board Informational Composite 3
⁶⁵ Parole Board Member Summary 3

⁶⁶ *Id.*
⁶⁷ *Id.*
⁶⁸ *Id.*
⁶⁹ *Id.*
⁷⁰ CORIS Disciplinary Offense Module
⁷¹ *Id.*
⁷² Parole Board Member Summary 4
⁷³ *Id.* at 4
⁷⁴ *Id.*
⁷⁵ *Id.*
⁷⁶ *Id.* at 5
⁷⁷ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁷⁸ Parole Board Member Summary 5
⁷⁹ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>; Facility Notes 1
⁸⁰ VPB Prosecutor Notification Log
⁸¹ CORIS Victim Contact Log
⁸² Facility Notes Log 1; Parole Board Member Summary 2

Andrew Lizama

⁸³ Parole Board Member Summary 2
⁸⁴ *Id.*
⁸⁵ *Id.* at 2, 5
⁸⁶ *Id.* at 2
⁸⁷ *Id.* at 5
⁸⁸ CORIS Disciplinary Offense Module
⁸⁹ Parole Board Member Summary 3
⁹⁰ *Id.* at 4
⁹¹ *Id.*
⁹² *Id.* at 7
⁹³ *Id.* at 8
⁹⁴ *Id.*
⁹⁵ *Id.*
⁹⁶ *Id.*
⁹⁷ *Id.*
⁹⁸ *Id.*
⁹⁹ *Id.*
¹⁰⁰ *Id.*
¹⁰¹ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
¹⁰² VPB Prosecutor Notification Log
¹⁰³ Facility Notes 1

Anthony Hugine

¹⁰⁴ Parole Board Member Summary 1
¹⁰⁵ *Id.*
¹⁰⁶ Parole Board Informational Composite 1
¹⁰⁷ *Id.* at 2
¹⁰⁸ *Id.*
¹⁰⁹ *Id.*
¹¹⁰ *Id.*
¹¹¹ Parole Board Member Summary 3
¹¹² CORIS Disciplinary Offense Module
¹¹³ Parole Board Member Summary 2–3
¹¹⁴ *Id.* at 4
¹¹⁵ *Id.*
¹¹⁶ *Id.* at 7–8
¹¹⁷ *Id.* at 8

¹¹⁸ *Id.*
¹¹⁹ *Id.* at 7
¹²⁰ *Id.*
¹²¹ *Id.* at 6
¹²² *Id.*
¹²³ *Id.*
¹²⁴ *Id.* at 5
¹²⁵ *Id.*
¹²⁶ *Id.*
¹²⁷ *Id.*
¹²⁸ *Id.*
¹²⁹ *Id.* at 5
¹³⁰ *Id.*
¹³¹ *Id.*
¹³² Email from Member Linda Bryant to Member Kemba Pradia on March 18, 2020.
¹³³ Parole Board Member Summary 5
¹³⁴ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
¹³⁵ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>; Facility Notes 1.
¹³⁶ VPB Prosecutor Notification Log
¹³⁷ Facility Notes 1, Parole Board Member Summary 2

Anthony Joyner

¹³⁸ Parole Board Member Summary 2
¹³⁹ *Id.*
¹⁴⁰ *Id.*
¹⁴¹ *Id.*
¹⁴² *Id.*
¹⁴³ *Id.*
¹⁴⁴ *Id.* at 5
¹⁴⁵ *Id.* at 1, 5
¹⁴⁶ *Id.* at 5
¹⁴⁷ *Id.*
¹⁴⁸ *Id.* at 1, 5
¹⁴⁹ *Id.* at 5
¹⁵⁰ *Id.*
¹⁵¹ *Id.*
¹⁵² *Id.*
¹⁵³ *Id.*
¹⁵⁴ *Id.*
¹⁵⁵ *Id.*
¹⁵⁶ CORIS Disciplinary Offense Module
¹⁵⁷ Parole Board Member Summary 4
¹⁵⁸ *Id.*
¹⁵⁹ *Id.*
¹⁶⁰ *Id.* at 6
¹⁶¹ *Id.* at 7
¹⁶² CORIS Parole Board module → Offender Summary → All Decisions
¹⁶³ *Id.*
¹⁶⁴ *Id.*
¹⁶⁵ *Id.*
¹⁶⁶ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
¹⁶⁷ VPB Prosecutor Notification Log
¹⁶⁸ *Id.*
¹⁶⁹ Facility Notes 1
¹⁷⁰ Parole Board Member Summary 7
¹⁷¹ Facility Notes 1

¹⁷² Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

Anthony Sexton

¹⁷³ Parole Board Member Summary 2

¹⁷⁴ *Id.*

¹⁷⁵ *Id.* at 3

¹⁷⁶ *Id.*

¹⁷⁷ *Id.*

¹⁷⁸ *Id.*

¹⁷⁹ *Id.*

¹⁸⁰ *Id.*

¹⁸¹ *Id.*

¹⁸² *Id.*

¹⁸³ *Id.*

¹⁸⁴ *Id.*

¹⁸⁵ *Id.*

¹⁸⁶ *Id.*

¹⁸⁷ *Id.* at 5

¹⁸⁸ CORIS Disciplinary Offense Module

¹⁸⁹ 2020 Parole Examiner Interview

¹⁹⁰ *Id.*

¹⁹¹ *Id.*

¹⁹² *Id.*

¹⁹³ CORIS Parole Board Module → Offender Summary → All Decisions

¹⁹⁴ *Id.*

¹⁹⁵ *Id.*

¹⁹⁶ *Id.*

¹⁹⁷ *Id.*

¹⁹⁸ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

¹⁹⁹ *Id.*; CORIS Parole Board Module → Offender Summary → All Decisions

²⁰⁰ Parole Board Member Summary 9

²⁰¹ VPB Prosecutor Notification Log

²⁰² Parole Board Member Summary 3

²⁰³ *Id.*

²⁰⁴ *Id.*

²⁰⁵ Facility Notes 1

²⁰⁶ Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

Armar Nelson

²⁰⁷ Parole Board Member Summary 2

²⁰⁸ *Id.*

²⁰⁹ Parole Board Informational Composite 2

²¹⁰ *Id.*

²¹¹ *Id.*

²¹² *Id.*

²¹³ *Id.*

²¹⁴ *Id.*

²¹⁵ *Id.*

216 *Id.*
217 *Id.*
218 *Id.*
219 *Id.*
220 Parole Board Member Summary 4
221 *Id.*
222 *Id.*
223 *Id.*
224 *Id.*
225 *Id.*
226 *Id.*
227 CORIS Disciplinary Offense Module
228 Parole Board Member Summary 2
229 *Id.* at 3
230 *Id.*
231 *Id.* at 5
232 *Id.*
233 *Id.*
234 *Id.* at 6
235 *Id.*
236 *Id.*
237 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
238 Parole Board Member Summary 6
239 *Id.* at 6–7
240 *Id.* at 6
241 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
242 VPB Prosecutor Notification Log
243 Parole Board Member Summary 6
244 Facility Notes 1
245 Parole Board Member Summary 6

Aubrey Lawrence

246 Parole Board Member Summary 2
247 *Id.*
248 *Id.*
249 *Id.*
250 *Id.*
251 *Id.*
252 *Id.*
253 *Id.* at 2, 3
254 *Id.* at 4
255 *Id.*
256 *Id.*
257 *Id.*
258 *Id.*
259 *Id.*
260 *Id.*
261 *Id.*
262 *Id.*
263 *Id.*
264 *Id.*
265 *Id.*
266 *Id.*
267 *Id.*
268 *Id.*
269 *Id.*

270 *Id.*
271 *Id.*
272 *Id.*
273 *Id.*
274 *Id.*
275 *Id.*
276 *Id.*
277 *Id.*
278 *Id.* at 5; CORIS Disciplinary Offense Module
279 Parole Board Member Summary 6
280 *Id.* at 8
281 *Id.*
282 *Id.*
283 *Id.*
284 *Id.*
285 *Id.* at 7
286 *Id.*
287 *Id.*
288 *Id.* at 5
289 *Id.*
290 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
291 Parole Board Member Summary 7
292 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
293 VPB Prosecutor Notification Log
294 Parole Board Member Summary 8
295 *Id.* at 7–9
296 Facility Notes 1

Bert Jordan

297 Parole Board Member Summary 2
298 *Id.*
299 *Id.* at 3
300 *Id.*
301 *Id.*
302 CORIS Disciplinary Offense Module
303 Parole Board Member Summary 2
304 *Id.* at 3
305 *Id.* at 4
306 *Id.* at 2
307 *Id.* at 5–6
308 CORIS Parole Board Module → All Decisions
309 *Id.*
310 *Id.*
311 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
312 Parole Board Member Summary 5
313 *Id.*
314 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
315 VPB Prosecutor Notification Log
316 Facility Notes 1

Bobby Preston

317 Parole Board Member Summary 2
318 *Id.* at 2, 3
319 *Id.* at 4
320 *Id.* at 2
321 *Id.* at 3

322 *Id.*
323 *Id.*
324 *Id.* at 5
325 CORIS Disciplinary Offense Module
326 *Id.*
327 *Id.*
328 Parole Board Member Summary 3
329 *Id.* at 6
330 *Id.* at 4
331 *Id.* at 5
332 *Id.* at 2
333 *Id.* at 8
334 *Id.* at 7
335 *Id.*
336 *Id.*
337 Facility Notes 1
338 Parole Board Member Summary 7
339 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
340 *Id.*
341 VPB Prosecutor Notification Log
342 Facility Notes 1

Charles Sheppard

343 Parole Board Member Summary 2
344 *Id.*
345 *Id.*
346 *Id.*
347 *Id.*
348 *Id.*
349 *Id.* at 4
350 *Id.*
351 *Id.*
352 *Id.*
353 *Id.*
354 *Id.*
355 *Id.*
356 *Id.*
357 *Id.*
358 *Id.*
359 *Id.*
360 *Id.*
361 *Id.*
362 *Id.*
363 *Id.*
364 *Id.*
365 *Id.*
366 *Id.*
367 *Id.*
368 *Id.* at 5
369 CORIS Disciplinary Offense Module
370 Parole Board Member Summary 3
371 *Id.*
372 *Id.*
373 2019 Parole Examiner Interview
374 *Id.*
375 *Id.*

376 *Id.*
377 CORIS Parole Board Module → All Decisions
378 Parole Board Member Summary 8
379 The Commitment Review Committee is established under Va. Code § 37.2-902, and the Committee’s procedures
are established in § 37.2-904.
380 Parole Board Member Summary 8
381 *Id.* at 7–8
382 CORIS Parole Board Module → All Decisions
383 *Id.*
384 *Id.*
385 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
386 Parole Board Member Summary 7
387 *Id.*
388 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
389 VADOC Psychology Associate Senior Eric Madsen, of VADOC’s Sex Offender Screening and Assessment Unit,
is the Virginia Parole Board’s point of contact for Sexually Violent Predator screenings.
390 Parole Board Member Summary 7
391 Northampton Circuit Court Case No. CL20000154-00
392 April 24, 2020 Petition for Civil Commitment as a Sexually Violent Predator at 2 (CL20000154-00)
393 *Id.*
394 *Id.*
395 November 9, 2020 Probable Cause Order (CL20000154-00)
396 August 11, 2021 Sexually Violent Predator Order (CL20000154-00)
397 August 26, 2021 Nonsuit Order Vacating Sexually Violent Predator Order (CL20000154-00)
398 Va. Code § 37.2-903
399 Notice of Recission Hearing
400 *Id.*
401 CORIS Parole Board Module → All Decisions
402 Parole Board Member Summary 7
403 *Id.*
404 CORIS Parole Board Module → All Decisions
405 *Id.*
406 *Id.*

Christopher Tunstall

407 Parole Board Member Summary 2, 3
408 *Id.* at 2
409 *Id.*
410 *Id.*
411 Parole Board Informational Composite 1
412 Parole Board Member Summary 3
413 Parole Board Informational Composite 1
414 *Id.*
415 *Id.*
416 *Id.*
417 *Id.*
418 *Id.*
419 *Id.*
420 *Id.* at 1–2
421 *Id.* at 2
422 *Id.*
423 *Id.*
424 Parole Board Member Summary 3
425 2019 Parole Examiner Interview
426 *Id.*
427 Parole Board Member Summary 3, 2019 Parole Report

⁴²⁸ 2019 Parole Report
⁴²⁹ CORIS Disciplinary Offense Module, 2019 Parole Report
⁴³⁰ Parole Board Member Summary 3
⁴³¹ *Id.* at 2–3
⁴³² *Id.* at 3
⁴³³ *Id.*
⁴³⁴ *Id.* at 2
⁴³⁵ *Id.* at 4–6
⁴³⁶ *Id.* at 4
⁴³⁷ VADOC Victim Contact Log
⁴³⁸ Parole Board Member Summary 4
⁴³⁹ *Id.*
⁴⁴⁰ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁴⁴¹ Parole Board Member Summary 4
⁴⁴² <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁴⁴³ VPB Prosecutor Notification Log
⁴⁴⁴ Facility Notes 2

Clarence Smith

⁴⁴⁵ Parole Board Member Summary 2
⁴⁴⁶ *Id.* at 3
⁴⁴⁷ *Id.* at 4
⁴⁴⁸ *Id.*
⁴⁴⁹ *Id.*
⁴⁵⁰ *Id.*
⁴⁵¹ *Id.*
⁴⁵² *Id.*
⁴⁵³ *Id.*
⁴⁵⁴ *Id.*
⁴⁵⁵ *Id.*
⁴⁵⁶ *Id.*
⁴⁵⁷ *Id.*
⁴⁵⁸ CORIS Disciplinary Offense Module
⁴⁵⁹ Parole Board Member Summary 3
⁴⁶⁰ *Id.*
⁴⁶¹ *Id.*
⁴⁶² *Id.* at 6
⁴⁶³ *Id.*
⁴⁶⁴ *Id.* at 5
⁴⁶⁵ *Id.* at 6
⁴⁶⁶ *Id.* at 8
⁴⁶⁷ *Id.* at 7
⁴⁶⁸ *Id.*
⁴⁶⁹ *Id.*
⁴⁷⁰ *Id.*
⁴⁷¹ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁴⁷² Parole Board Member Summary 8
⁴⁷³ PBMS 8
⁴⁷⁴ PBMS 8
⁴⁷⁵ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁴⁷⁶ VPB Prosecutor Notification Log
⁴⁷⁷ Facility Notes 1

Clinton Jacobs

⁴⁷⁸ Parole Board Member Summary 2, 3
⁴⁷⁹ *Id.*

480 *Id.*
481 *Id.* at 3
482 *Id.* at 4
483 *Id.*
484 *Id.*
485 *Id.*
486 *Id.*
487 *Id.*
488 *Id.*
489 *Id.*
490 *Id.*
491 *Id.*
492 *Id.*
493 *Id.* at 5
494 *Id.*
495 *Id.*
496 *Id.*
497 *Id.*
498 *Id.*
499 *Id.*
500 *Id.*
501 *Id.* at 2
502 CORIS Disciplinary Offense Module
503 2019 Examiner Interview
504 2019 Examiner Interview, CORIS Parole Board Offender Summary Module
505 2019 Examiner Interview
506 *Id.*
507 *Id.*
508 2019 Examiner Interview, CORIS Parole Board Offender Summary Module
509 CORIS Parole Board Offender Summary Module
510 *Id.*
511 Parole Board Member Summary 9
512 *Id.*
513 *Id.*
514 *Id.* at 8
515 *Id.*
516 *Id.*
517 CORIS Parole Board Offender Summary Module
518 *Id.*
519 Parole Board Member Summary 8
520 *Id.* at 7
521 CORIS Parole Board Offender Summary Module
522 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
523 Parole Board Member Summary 7
524 *Id.* at 7–10
525 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
526 Parole Board Member Summary 7
527 VPB Prosecutor Notification Log
528 Facility Notes 2
529 Parole Board Member Summary 1–2
530 *Id.* at 2
531 *Id.* at 3
532 *Id.*
533 *Id.*
534 *Id.*
535 *Id.*

536 *Id.*
537 *Id.*
538 *Id.*
539 CORIS Disciplinary Offense Module
540 Parole Board Member Summary 2
541 *Id.*
542 *Id.*
543 *Id.*
544 *Id.*
545 *Id.*
546 *Id.* at 5
547 *Id.*
548 *Id.*
549 *Id.*
550 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
551 Parole Board Member Summary 6
552 *Id.*
553 *Id.*
554 *Id.*
555 *Id.*
556 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
557 VPB Prosecutor Notification Log
558 Facility Notes 1

Cordell Reed

559 Parole Board Member Summary 2
560 *Id.*
561 *Id.* at 4
562 February 19, 2019 Revocation Letter
563 CORIS Disciplinary Offense Module
564 2019 Parole Examiner Interview
565 *Id.*
566 *Id.*
567 *Id.*
568 Parole Board Member Summary 5–6
569 CORIS Parole Board Module → All Decisions
570 Parole Board Member Summary 5
571 CORIS Parole Board Module → All Decisions
572 *Id.*
573 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
574 Parole Board Member Summary 5–6
575 *Id.* at 5
576 *Id.*
577 *Id.*
578 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
579 VPB Prosecutor Notification Log
580 Facility Notes 1
581 Parole Board Member Summary 2
582 There is no evidence that Reed was paroled due to COVID-19; it appears that VPB incorrectly believed he was an appropriate candidate for discretionary release.
583 Parole Board Member Summary 4

Daniel Adams

584 Parole Board Member Summary 1
585 *Id.* at 4
586 *Id.*

587 *Id.*
588 *Id.*
589 *Id.*
590 *Id.*
591 CORIS Disciplinary Offense Module
592 Parole Board Member Summary 2
593 *Id.* at 3
594 *Id.*
595 *Id.* at 4
596 *Id.* at 5
597 *Id.* at 6, <https://www.themarshallproject.org/2019/10/03/i-killed-my-wife-now-i-want-to-help-prevent-domestic-violence>
598 Parole Board Member Summary 6
599 *Id.*
600 *Id.* at 2, 6, CORIS Parole Board Offender Summary Module
601 Parole Board Member Summary 6
602 *Id.* at 8–18
603 *Id.* at 13
604 *Id.* at 6
605 *Id.*
606 *Id.* at 7
607 *Id.* at 6
608 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
609 *Id.*
610 VPB Prosecutor Notification Log
611 Facility Notes 1

Darryl Webb

612 Parole Board Member Summary 1–3
613 *Id.*
614 *Id.*
615 *Id.* at 3
616 *Id.* at 4
617 *Id.*
618 *Id.*
619 *Id.*
620 *Id.*
621 *Id.*
622 CORIS Disciplinary Offense Module
623 Parole Board Member Summary 3
624 *Id.*
625 *Id.* at 5
626 *Id.*
627 *Id.*
628 *Id.* at 7
629 *Id.* at 6
630 *Id.*
631 *Id.*
632 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
633 Parole Board Member Summary 7
634 *Id.*
635 *Id.*
636 *Id.*
637 *Id.*
638 *Id.*
639 *Id.* at 6

⁶⁴⁰ *Id.* at 6
⁶⁴¹ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁶⁴² VPB Prosecutor Notification Log
⁶⁴³ Facility Notes 1

David Jackson

⁶⁴⁴ Parole Board Member Summary 1
⁶⁴⁵ *Id.*
⁶⁴⁶ *Id.* at 4
⁶⁴⁷ *Id.*
⁶⁴⁸ *Id.*
⁶⁴⁹ *Id.* at 1, 4
⁶⁵⁰ *Id.* at 4
⁶⁵¹ *Id.*
⁶⁵² *Id.*
⁶⁵³ *Id.*
⁶⁵⁴ *Id.*
⁶⁵⁵ *Id.*
⁶⁵⁶ *Id.*
⁶⁵⁷ *Id.*
⁶⁵⁸ *Id.*
⁶⁵⁹ *Id.*
⁶⁶⁰ *Id.*
⁶⁶¹ *Id.*
⁶⁶² *Id.*
⁶⁶³ *Id.*
⁶⁶⁴ *Id.*
⁶⁶⁵ CORIS Disciplinary Offense Module
⁶⁶⁶ Parole Board Member Summary 3
⁶⁶⁷ *Id.*
⁶⁶⁸ *Id.*
⁶⁶⁹ *Id.*
⁶⁷⁰ *Id.*
⁶⁷¹ *Id.* at 4
⁶⁷² *Id.* at 6
⁶⁷³ *Id.* at 8
⁶⁷⁴ *Id.* at 6–12
⁶⁷⁵ *Id.*
⁶⁷⁶ *Id.* at 6
⁶⁷⁷ *Id.*
⁶⁷⁸ *Id.*
⁶⁷⁹ *Id.*
⁶⁸⁰ *Id.*
⁶⁸¹ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁶⁸² Parole Board Member Summary 6
⁶⁸³ *Id.*
⁶⁸⁴ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁶⁸⁵ Facility Notes 1
⁶⁸⁶ VPB Prosecutor Notification Log
⁶⁸⁷ Parole Board Member Summary 6
⁶⁸⁸ *See generally* Parole Board Member Summary
⁶⁸⁹ Facility Notes 1

David Verlander

⁶⁹⁰ Parole Board Member Summary 2
⁶⁹¹ *Id.* at 3

⁶⁹² *Verlander v. Commonwealth*, 5 Va. App. 482, 483 (1988)
⁶⁹³ Parole Board Member Summary 3
⁶⁹⁴ *Verlander*, 5 Va. App. at 484
⁶⁹⁵ Parole Board Member Summary 3
⁶⁹⁶ *Id.*
⁶⁹⁷ 1999 Parole Interview Notes
⁶⁹⁸ 2002 Parole Examiner Interview Notes
⁶⁹⁹ Parole Board Member Summary 4
⁷⁰⁰ CORIS Disciplinary Offense Module
⁷⁰¹ Parole Board Member Summary 3
⁷⁰² *Id.* at 4
⁷⁰³ *Id.* at 3
⁷⁰⁴ *Id.* at 5
⁷⁰⁵ *Id.*
⁷⁰⁶ *Id.* at 7–9
⁷⁰⁷ *Id.* at 6–9
⁷⁰⁸ *Id.* at 6
⁷⁰⁹ *Id.*
⁷¹⁰ *Id.*
⁷¹¹ *Id.*
⁷¹² *Id.*
⁷¹³ *Id.*
⁷¹⁴ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁷¹⁵ Parole Board Member Summary 7
⁷¹⁶ *Id.* at 6
⁷¹⁷ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁷¹⁸ VPB Prosecutor Notification Log
⁷¹⁹ Facility Notes 1

Davon Copeland

⁷²⁰ Parole Board Member Summary 2, Parole Board Informational Composite 1
⁷²¹ Parole Board Member Summary 2
⁷²² *Id.*
⁷²³ *Id.* at 3
⁷²⁴ Parole Board Informational Composite 1
⁷²⁵ *Id.*
⁷²⁶ *Id.*
⁷²⁷ *Id.*
⁷²⁸ *Id.* at 2
⁷²⁹ *Id.*
⁷³⁰ Parole Board Member Summary 4
⁷³¹ Parole Board Informational Composite 3
⁷³² Parole Board Member Summary 4
⁷³³ *Id.* at 2
⁷³⁴ *Id.* at 3, 5
⁷³⁵ *Id.* at 5
⁷³⁶ *Id.*
⁷³⁷ *Id.* at 7–10
⁷³⁸ *Id.* at 7–10
⁷³⁹ *Id.* at 6
⁷⁴⁰ *Id.*
⁷⁴¹ *Id.*
⁷⁴² *Id.*
⁷⁴³ *Id.*
⁷⁴⁴ *Id.*
⁷⁴⁵ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

⁷⁴⁶ Parole Board Member Summary 7
⁷⁴⁷ *Id.*
⁷⁴⁸ *Id.* at 6
⁷⁴⁹ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁷⁵⁰ VPB Prosecutor Notification Log
⁷⁵¹ Facility Notes 1

Debra Scribner

⁷⁵² Parole Board Member Summary 2
⁷⁵³ *Id.*
⁷⁵⁴ Debra Scribner was ineligible for discretionary parole because her offenses occurred after 1995.
⁷⁵⁵ Parole Board Member Summary 3–6
⁷⁵⁶ *Id.* at 4, 6
⁷⁵⁷ *Id.* at 4
⁷⁵⁸ *Id.*
⁷⁵⁹ *Id.*
⁷⁶⁰ *Id.* at 3–4
⁷⁶¹ *Id.* at 4
⁷⁶² *Id.*
⁷⁶³ *Id.*
⁷⁶⁴ *Id.*
⁷⁶⁵ *Id.*
⁷⁶⁶ *Id.* at 7
⁷⁶⁷ *Id.*
⁷⁶⁸ *Id.* at 4, CORIS Disciplinary Offense Module
⁷⁶⁹ Parole Board Member Summary 2
⁷⁷⁰ CORIS Parole Board Module → All Decisions
⁷⁷¹ Parole Board Member Summary 4
⁷⁷² *Id.* at 5
⁷⁷³ *Id.*
⁷⁷⁴ *Id.* at 7–9
⁷⁷⁵ *Id.* at 8
⁷⁷⁶ *Id.*
⁷⁷⁷ *Id.* at 7
⁷⁷⁸ CORIS Parole Board Module → All Decisions
⁷⁷⁹ *Id.*
⁷⁸⁰ *Id.*
⁷⁸¹ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
⁷⁸² *Id.*
⁷⁸³ Interview of Timothy Logan
⁷⁸⁴ Facility Notes 1
⁷⁸⁵ VPB Prosecutor Notification Log

Demetrius Donigan

⁷⁸⁶ Parole Board Member Summary 1–2
⁷⁸⁷ *Id.* at 2
⁷⁸⁸ *Id.*
⁷⁸⁹ *Id.*
⁷⁹⁰ *Id.*
⁷⁹¹ *Id.*
⁷⁹² CORIS Disciplinary Offense Module
⁷⁹³ Parole Board Member Summary 2
⁷⁹⁴ *Id.*
⁷⁹⁵ *Id.*
⁷⁹⁶ *Id.* at 3
⁷⁹⁷ *Id.*

798 *Id.* at 4
799 *Id.* at 5
800 *Id.*
801 *Id.*
802 *Id.*
803 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
804 Parole Board Member Summary 6
805 *Id.*
806 *Id.*
807 *Id.*
808 *Id.*
809 VPB Prosecutor Notification Log
810 Facility Notes 1

Dennis Liming

811 Parole Board Member Summary 2
812 *Id.*
813 *Id.* at 1–2
814 *Id.*
815 *Id.* at 3–4
816 *Id.* at 4
817 CORIS Disciplinary Offense Module
818 Parole Board Member Summary 3
819 *Id.* at 4
820 *Id.*
821 *Id.* at 5
822 *Id.* at 6
823 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
824 CORIS Parole Board Module → All Decisions
825 *Id.*
826 *Id.*
827 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
828 *See generally* Parole Board Member Summary
829 Parole Board Member Summary 6
830 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
831 VPB Prosecutor Notification Log
832 Facility Notes 1

Donald Johnson

833 Parole Board Member Summary 2–3
834 *Id.* at 3
835 *Id.*
836 *Id.* at 5
837 *Id.*
838 *Id.*
839 *Id.*
840 *Id.* at 3
841 *Id.* at 5
842 CORIS Disciplinary Offense Module
843 Parole Board Member Summary 3
844 *Id.* at 6
845 *Id.*
846 *Id.*
847 *Id.* at 7
848 *Id.*
849 *Id.*

850 *Id.*
851 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
852 Parole Board Member Summary 7
853 *Id.*
854 *Id.*
855 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
856 VPB Prosecutor Notification Log
857 Facility Notes 1

Donyae Calloway

858 Parole Board Member Summary 2, 3
859 *Id.* at 2
860 *Id.* at 2, 3
861 *Id.* at 2
862 *Id.* at 3
863 *Id.*
864 Parole Revocation Notice of February 18, 2017
865 Parole Board Member Summary 3
866 *Id.*
867 *Id.*
868 *Id.* at 4
869 CORIS Disciplinary Offense Module
870 Parole Board Member Summary 3
871 *Id.*
872 *Id.*
873 *Id.*
874 *Id.* at 5
875 *Id.*
876 *Id.*
877 *See generally* Parole Board Member Summary
878 Parole Board Member Summary 6
879 *Id.*
880 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
881 Parole Board Member Summary 6
882 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
883 VPB Prosecutor Notification Log
884 Facility Notes 1

885 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

Dwayne Reid

886 Parole Board Member Summary 2
887 *Id.*
888 *Id.* at 4
889 *Id.*
890 *Id.*
891 *Id.*
892 *Id.*
893 *Id.*
894 *Id.*
895 *Id.* at 2
896 *Id.* at 5
897 CORIS Disciplinary Offense Module

898 Parole Board Member Summary 2
899 *Id.* at 3
900 *Id.*
901 *Id.*
902 *Id.* at 5
903 *Id.* at 7
904 *Id.*
905 *Id.*
906 *Id.* at 8
907 *See generally* Parole Board Member Summary
908 Parole Board Member Summary 8
909 *Id.*
910 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
911 *Id.*
912 *See generally* Parole Board Member Summary
913 Parole Board Member Summary 8
914 VPB Prosecutor Notification Log
915 Facility Notes 1

Edwin Gooch

916 Parole Board Member Summary 2
917 *Id.*
918 *Id.* at 2, 5
919 *Id.* at 3
920 *Id.*
921 *Id.*
922 *Id.*
923 *Id.*
924 *Id.*
925 *Id.* at 2
926 *Id.*
927 *Id.*
928 *Id.* at 4
929 *Id.*
930 *Id.* at 5–10
931 CORIS Parole Board Module → All Decisions
932 *Id.*
933 *Id.*
934 *Id.*
935 *Id.*
936 Parole Board Member Summary 4–10
937 CORIS Parole Board Module → All Decisions
938 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
939 Parole Board Member Summary 5, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
940 VPB Prosecutor Notification Log
941 Facility Notes 1

Ervin Maddrey

942 Parole Board Member Summary 2
943 *Id.*
944 *Id.*
945 *Id.* at 4
946 *Id.* at 2
947 *Id.*
948 *Id.*
949 *Id.* at 3

950 *Id.*
951 *Id.*
952 *Id.*
953 *Id.*
954 *Id.*
955 *Id.*
956 *Id.*
957 *Id.*
958 *Id.*
959 *Id.*
960 *Id.*
961 *Id.* at 4
962 CORIS Disciplinary Offense Module
963 Parole Board Member Summary 2
964 *Id.* at 4
965 *Id.*
966 *Id.*
967 *Id.* at 5–6
968 CORIS Parole Board Module → All Decisions
969 *Id.*
970 *Id.*
971 *Id.*
972 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
973 Parole Board Member Summary 5, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
974 VPB Prosecutor Notification Log
975 Facility Notes 1
976 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

Felix Samuels

977 Parole Board Member Summary 1
978 *Id.* at 2
979 *Id.*
980 *Id.*
981 CORIS Disciplinary Offense Module
982 Parole Board Member Summary 2
983 *Id.*
984 *Id.* at 4
985 *Id.*
986 *Id.*
987 *Id.* at 6
988 *Id.* at 5
989 *Id.*
990 *Id.*
991 *Id.*
992 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
993 Parole Board Member Summary 5
994 *Id.*
995 Parole Board Member Summary 5, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
996 VPB Prosecutor Notification Log
997 Facility Notes 1

Genesis Asiatic, f/k/a Demetrius Day

⁹⁹⁸ Parole Board Member Summary 2

⁹⁹⁹ *Id.*

¹⁰⁰⁰ *Id.* at 4

¹⁰⁰¹ Norfolk Circuit Court Statement of Facts, Parole Board Member Summary 4

¹⁰⁰² Parole Board Member Summary 2

¹⁰⁰³ Powhatan Circuit Court Name Change Order

¹⁰⁰⁴ *Id.* 4

¹⁰⁰⁵ Norfolk Circuit Court Statement of Facts

¹⁰⁰⁶ *Id.*

¹⁰⁰⁷ *Id.*

¹⁰⁰⁸ *Id.*

¹⁰⁰⁹ *Id.*

¹⁰¹⁰ *Id.*

¹⁰¹¹ *Id.*

¹⁰¹² *Id.*

¹⁰¹³ Parole Board Member Summary 4

¹⁰¹⁴ *Id.*

¹⁰¹⁵ *Id.*

¹⁰¹⁶ *Id.* at 2

¹⁰¹⁷ *Id.* at 5

¹⁰¹⁸ *Id.* at 3

¹⁰¹⁹ *Id.*

¹⁰²⁰ *Id.*

¹⁰²¹ *Id.* at 7

¹⁰²² *Id.* at 8

¹⁰²³ *See generally* Parole Board Member Summary

¹⁰²⁴ Parole Board Member Summary 8

¹⁰²⁵ *Id.*

¹⁰²⁶ *Id.*

¹⁰²⁷ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

¹⁰²⁸ Parole Board Member Summary 8

¹⁰²⁹ <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

¹⁰³⁰ VPB Prosecutor Notification Log

¹⁰³¹ Facility Notes 1

¹⁰³² Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

Glenwood Henderson

¹⁰³³ Parole Board Member Summary 4

¹⁰³⁴ *Id.* at 2, 4

¹⁰³⁵ *Id.*

¹⁰³⁶ *Id.* at 4

¹⁰³⁷ *Id.* at 2, 4

¹⁰³⁸ *Id.* at 3

¹⁰³⁹ *Id.* at 2, 3

¹⁰⁴⁰ *Id.* at 3

¹⁰⁴¹ *Id.*

¹⁰⁴² *Id.*

¹⁰⁴³ *Id.*

¹⁰⁴⁴ *Id.*

¹⁰⁴⁵ *Id.*

¹⁰⁴⁶ *Id.*

1047 *Id.* at 2, 4
1048 CORIS Disciplinary Offense Module
1049 Parole Board Member Summary 3
1050 *Id.* at 4
1051 *Id.*
1052 *Id.* at 5
1053 *Id.* at 7
1054 *Id.* at 5–7
1055 *Id.* at 5
1056 *Id.*
1057 *Id.*
1058 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1059 Parole Board Member Summary 5
1060 *Id.*
1061 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1062 VPB Prosecutor Notification Log
1063 Facility Notes 1

Gregory Mazyck

1064 Parole Board Member Summary 1
1065 *Id.*
1066 *Id.* at 3
1067 *Id.*
1068 *Id.*
1069 *Id.* at 4
1070 CORIS Disciplinary Offense Module
1071 Parole Board Member Summary 2
1072 *Id.* at 5
1073 *Id.* at 5
1074 *Id.* at 3
1075 *Id.* at 5
1076 *Id.* at 6
1077 *Id.* at 6–8
1078 *Id.*
1079 *Id.* at 7
1080 *Id.*
1081 *Id.* at 6
1082 *Id.*
1083 *Id.*
1084 *Id.*
1085 CORIS Parole Board Module → All Decisions
1086 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1087 VPB Prosecutor Notification Log
1088 Facility Notes 1

Gregory Snowden

1089 Parole Board Member Summary 2
1090 *Id.* at 3
1091 *Id.* at 4
1092 *Id.*
1093 *Id.*
1094 *Id.*
1095 *Id.*
1096 *Id.* at 4–5
1097 *Id.* at 5
1098 *Id.*

1099 *Id.*
1100 *Id.* at 3
1101 *Id.*
1102 *Id.* at 6
1103 *Id.* at 2
1104 *Id.* at 7–8
1105 *Id.* at 7
1106 *Id.* at 6
1107 *Id.*
1108 *Id.*
1109 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1110 Parole Board Member Summary 7
1111 *Id.*
1112 *Id.* at 6
1113 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1114 VPB Prosecutor Notification Log
1115 Facility Notes 1
1116 Victim Contact Information received from Virginia Beach Commonwealth’s Attorney’s Office

Gregory Walker

1117 Parole Board Member Summary 2
1118 *Id.*
1119 *Id.*
1120 Parole Board Informational Composite 1
1121 *Id.*
1122 *Id.*
1123 *Id.*
1124 Parole Board Informational Composite 1
1125 Parole Board Member Summary 3
1126 *Id.*
1127 *Id.*
1128 CORIS Disciplinary Offense Module
1129 CORIS Parole Board Module → All Interviews/Hearings
1130 Parole Board Member Summary 7
1131 *Id.*
1132 *Id.*
1133 *Id.* at 2
1134 *Id.* at 3
1135 *Id.* at 6, 7
1136 *Id.* at 6
1137 *Id.*
1138 *Id.*
1139 CORIS Parole Board Module → All Decisions
1140 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1141 *Id.*
1142 VPB Prosecutor Notification Log
1143 Facility Notes 1

Harold Martin

1144 Parole Board Member Summary 2, 3
1145 *Id.* at 2
1146 *Id.* at 3
1147 *Id.*
1148 *Id.*
1149 *Id.*
1150 *Id.*

1151 *Id.*
1152 *Id.*
1153 *Id.*
1154 *Id.*
1155 *Id.*
1156 *Id.*
1157 CORIS Disciplinary Offense Module
1158 Parole Board Member Summary 2
1159 *Id.* at 3
1160 Parole Board Member Summary 5
1161 *Id.* at 6–10, 6
1162 *Id.* at 6–10
1163 *Id.* at 6–10
1164 *Id.* at 5
1165 *Id.*
1166 *Id.*
1167 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1168 Parole Board Member Summary 6
1169 *Id.*, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1170 Parole Board Member Summary 6
1171 VPB Prosecutor Notification Log
1172 Facility Notes 1

Henry Burton

1173 Parole Board Member Summary 3
1174 *Id.*
1175 *Id.* at 2
1176 *Id.*
1177 *Id.* at 3
1178 *Id.* at 4
1179 *Id.*
1180 *Id.*
1181 *Id.*
1182 *Id.*
1183 *Id.*
1184 *Id.*
1185 *Id.*
1186 *Id.*
1187 *Id.* at 3
1188 *Id.* at 4
1189 *Id.*
1190 *Id.*
1191 *Id.*
1192 CORIS Disciplinary Offense Module
1193 Parole Board Member Summary 3
1194 *Id.*
1195 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1196 Parole Board Member Summary 3
1197 *Id.*
1198 *Id.*
1199 *Id.*
1200 *Id.* at 5
1201 *Id.* at 7–9
1202 *Id.* at 7, 8
1203 *Id.* at 6
1204 CORIS Parole Board Module → All Decisions

1205 *Id.*
1206 *Id.*
1207 *Id.*
1208 *Id.*
1209 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1210 Parole Board Member Summary 6
1211 *Id.*
1212 *Id.*
1213 *Id.*
1214 *Id.*
1215 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1216 VPB Prosecutor Notification Log
1217 Facility Notes 1
1218 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1219 Va. Code § 53.1-165.1

Henry Holmes

1220 Parole Board Member Summary 2
1221 *Id.* at 3
1222 *Id.* at 2
1223 *Id.* at 4
1224 *Id.*
1225 *Id.*
1226 *Id.*
1227 *Id.*
1228 *Id.*
1229 *Id.*
1230 *Id.*
1231 *Id.*
1232 *Id.*
1233 *Id.*
1234 CORIS Disciplinary Offense Module
1235 Parole Board Member Summary 3
1236 *Id.*
1237 *Id.*
1238 *Id.*
1239 *Id.* at 5
1240 *Id.* at 3
1241 *Id.* at 6
1242 *Id.* at 7
1243 *Id.*
1244 *Id.* at 6
1245 *Id.*
1246 *Id.*
1247 *Id.* at 7
1248 *Id.* at 6
1249 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1250 Parole Board Member Summary 6
1251 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1252 Parole Board Member Summary 6
1253 VPB Prosecutor Notification Log
1254 Facility Notes 1

Horace Burnette

1255 Parole Board Member Summary 1
1256 *Id.*

1257 *Id.*
1258 2020 Parole Examiner Interview Summary
1259 *Id.*
1260 *Id.*
1261 *Id.*
1262 *Id.*
1263 *Id.*
1264 *Id.*
1265 *Id.*
1266 *Id.*
1267 CORIS Disciplinary Offense Module
1268 *Id.*
1269 2020 Parole Examiner Interview Summary
1270 *Id.*
1271 *Id.*
1272 *Id.*
1273 CORIS Parole Board Module → All Decisions
1274 *Id.*
1275 *Id.*
1276 *Id.*
1277 *Id.*
1278 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1279 Parole Board Member Summary 5, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1280 *See generally* Parole Board Member Summary
1281 VPB Prosecutor Notification Log
1282 Facility Notes 1
1283 Email of May 7, 2020, 5:09 p m. from Nicholas Cropper to Tonya Chapman
1284 Email of May 8, 2020, 10:37 a.m. from Tonya Chapman to Lisa Bowen
1285 Parole Board Member Summary 5

Irvian Cotton

1286 Parole Board Member Summary 1
1287 *Id.* at 3
1288 *Id.*
1289 *Id.*
1290 *Id.*
1291 *Id.*
1292 *Id.*
1293 *Id.*
1294 *Id.*
1295 *Id.*
1296 *Id.*
1297 *Id.*
1298 *Id.*
1299 CORIS Disciplinary Offense Module
1300 Parole Board Member Summary 2
1301 *Id.*
1302 *Id.*
1303 *Id.*
1304 *Id.* at 4
1305 *Id.*
1306 *Id.*
1307 *Id.*
1308 *Id.*
1309 *Id.* at 5–10
1310 CORIS Parole Board Module → All Decisions

1311 *Id.*
1312 *Id.*
1313 *Id.*
1314 <https://vpb.virginia.gov/files/1168/vpb-decisions-jan20.pdf>
1315 Parole Board Member Summary 5
1316 *Id.*
1317 *Id.*
1318 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1319 VPB Prosecutor Notification Log
1320 Facility Notes 1

Jalen Williams

1321 Parole Board Member Summary 2
1322 *Id.*
1323 *Id.* at 3
1324 *Id.*
1325 *Id.*
1326 *Id.*
1327 *Id.*
1328 *Id.*
1329 *Id.*
1330 *Id.*
1331 *Id.*
1332 *Id.*
1333 *Id.*
1334 *Id.*
1335 *Id.*
1336 *Id.*
1337 *Id.*
1338 *Id.*
1339 *Id.*
1340 *Id.*
1341 *Id.*
1342 *Id.*
1343 *Id.*
1344 *Id.*
1345 *Id.*
1346 *Id.*
1347 *Id.*
1348 *Id.*
1349 *Id.*
1350 *Id.*
1351 *Id.*, CORIS Disciplinary Offense Module
1352 Parole Board Member Summary 2
1353 *Id.*
1354 *Id.* at 6
1355 *Id.* at 4
1356 *Id.* at 5
1357 *Id.* at 7
1358 *Id.* at 6
1359 *Id.*
1360 *Id.*
1361 *Id.* at 5
1362 *Id.*
1363 *Id.*
1364 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

1365 Parole Board Member Summary 6
1366 *Id.*, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1367 VPB Prosecutor Notification Log
1368 Facility Notes 1

James Jones

1369 Parole Board Member Summary 3
1370 *Id.* at 3, 6
1371 *Id.* at 2, 3
1372 *Id.* at 3, 6
1373 *Id.*
1374 *Id.*
1375 *Id.* at 2, 3, 6
1376 *Id.* at 6
1377 *Id.* at 2
1378 *Id.* at 3
1379 *Id.* at 5
1380 *Id.*
1381 *Id.*
1382 *Id.*
1383 *Id.*
1384 *Id.*
1385 *Id.*
1386 *Id.*
1387 *Id.*
1388 *Id.*
1389 *Id.*
1390 *Id.*
1391 *Id.*
1392 *Id.*
1393 *Id.*
1394 *Id.*
1395 *Id.*
1396 *Id.* at 6
1397 *Id.*
1398 *Id.*
1399 *Id.*
1400 *Id.* at 3
1401 *Id.* at 3
1402 *Id.* at 8
1403 *Id.* at 10
1404 *See generally* Parole Board Member Summary
1405 Parole Board Member Summary 9
1406 *Id.*
1407 *Id.*
1408 *Id.*
1409 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1410 Parole Board Member Summary 10
1411 *Id.*
1412 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1413 VPB Prosecutor Notification Log
1414 Facility Notes 1
1415 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked

and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

James Mitchell

1416 Parole Board Member Summary 2

1417 *Id.*

1418 *Id.*

1419 *Id.*

1420 *Id.*

1421 *Id.* at 3

1422 *Id.* at 4

1423 *Id.*

1424 *Id.*

1425 *Id.*

1426 *Id.* at 4, 5

1427 *Id.* at 5

1428 *Id.* at 4

1429 *Id.* at 5

1430 *Id.*

1431 *Id.*

1432 *Id.*

1433 *Id.*

1434 *Id.*

1435 *Id.*

1436 *Id.* at 6

1437 CORIS Disciplinary Offense Module

1438 *Id.* at 3

1439 *Id.* at 8

1440 *Id.* at 7

1441 *Id.* at 8

1442 *Id.* at 10

1443 *Id.* at 9

1444 *Id.*

1445 *Id.*

1446 *Id.*

1447 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

1448 Parole Board Member Summary 10

1449 *Id.* at 6, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

1450 VPB Prosecutor Notification Log

1451 Facility Notes 1

1452 Parole Board Member Summary 10

James Perkins

1453 Parole Board Member Summary 2

1454 *Id.*

1455 *Id.*

1456 *Id.*

1457 *Id.*

1458 *Id.* at 1–2

1459 *Id.*

1460 *Id.* at 3

1461 *Id.* at 4

1462 *Id.*

1463 *Id.*

1464 *Id.*

1465 *Id.*

1466 *Id.*
1467 *Id.* at 5
1468 CORIS Disciplinary Offense Module
1469 Parole Board Member Summary 3
1470 *Id.*
1471 *Id.*
1472 *Id.* at 6
1473 *Id.*
1474 *Id.* at 7
1475 *Id.*
1476 CORIS Parole Board Module → All Decisions
1477 *Id.*
1478 *Id.*
1479 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1480 Parole Board Member Summary 7
1481 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1482 VPB Prosecutor Notification Log
1483 Parole Board Member Summary 7
1484 Facility Notes 1

James Riddick

1485 Parole Board Member Summary 2
1486 *Id.* at 2, 3
1487 *Id.* at 3
1488 *Id.*
1489 *Id.*
1490 *Id.*
1491 *Id.*
1492 *Id.*
1493 *Id.*
1494 *Id.*
1495 CORIS Disciplinary Offense Module
1496 Parole Board Member Summary 3
1497 *Id.*
1498 *Id.* at 4
1499 *Id.*
1500 *Id.*
1501 Parole Board Member Summary 5
1502 CORIS Parole Board Module → All Decisions
1503 *Id.*
1504 *Id.*
1505 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1506 Parole Board Member Summary 5
1507 *Id.*
1508 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1509 VPB Prosecutor Notification Log
1510 Facility Notes 1

James Turner

1511 Parole Board Member Summary 2
1512 *Id.*
1513 *Id.*
1514 *Id.* at 5
1515 *Id.* at 2
1516 *Id.* at 5
1517 *Id.* at 2

1518 *Id.*
1519 *Id.*
1520 *Id.* at 5
1521 *Id.* at 2
1522 *Id.* at 5
1523 *Id.* at 2
1524 *Id.* at 5
1525 *Id.* at 2
1526 *Id.*
1527 *Id.*
1528 *Id.*
1529 *Id.*
1530 *Id.*
1531 *Id.*
1532 *Id.*
1533 *Id.*
1534 *Id.*
1535 *Id.*
1536 *Id.*
1537 *Id.*
1538 *Id.*
1539 *Id.* at 3
1540 *Id.*
1541 *Id.*
1542 *Id.* at 6
1543 CORIS Parole Board Module → All Decisions
1544 *Id.*
1545 *Id.*
1546 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1547 Parole Board Member Summary 7, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1548 VPB Prosecutor Notification Log
1549 Facility Notes 1

James Wright

1550 Parole Board Member Summary 2
1551 *Id.* at 2, 3
1552 *Id.* at 2
1553 *Id.*
1554 *Id.* at 3
1555 *Id.*
1556 *Id.* at 2–3
1557 *Id.* at 4
1558 CORIS Disciplinary Offense Module
1559 Parole Board Member Summary 3
1560 *Id.*
1561 *Id.* at 4
1562 *Id.*
1563 *Id.*
1564 *Id.* at 5
1565 *Id.* at 6
1566 *Id.*
1567 *Id.*
1568 *Id.*
1569 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1570 Parole Board Member Summary 6
1571 *Id.*

1572 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

1573 VPB Prosecutor Notification Log

1574 Facility Notes 1

1575 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

John Queen

1576 Parole Board Member Summary 2

1577 *Id.*

1578 *Id.* at 3

1579 *Id.*

1580 *Id.*

1581 *Id.*

1582 *Id.*

1583 *Id.*

1584 CORIS Disciplinary Offense Module

1585 Parole Board Member Summary 2

1586 *Id.*

1587 *Id.* at 3

1588 *Id.*

1589 *Id.* at 4–6

1590 *Id.*

1591 *Id.* at 4

1592 *Id.*

1593 *Id.*

1594 *Id.*

1595 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

1596 Parole Board Member Summary 4

1597 *Id.*

1598 *Id.*

1599 *Id.*

1600 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

1601 VPB Prosecutor Notification Log

1602 Facility Notes 1

Jonathan Branch

1603 Parole Board Member Summary 2

1604 *Id.*

1605 *Id.* at 3

1606 *Id.*

1607 *Id.*

1608 *Id.*

1609 *Id.*

1610 *Id.*

1611 *Id.*

1612 *Id.*

1613 *Id.* at 4

1614 *Id.* at 2

1615 CORIS Parole Board Module → All Interviews/Hearings

1616 Parole Board Member Summary 2

1617 *Id.* at 3

1618 *Id.* at 4–5

1619 *Id.* at 6

1620 *Id.* at 7
1621 *Id.*
1622 *Id.*
1623 *Id.* at 6
1624 *Id.*
1625 *Id.*
1626 Parole Board Member Summary 6
1627 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1628 Parole Board Member Summary 7, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1629 VPB Prosecutor Notification Log
1630 Parole Board Member Summary 7
1631 Facility Notes 1

Julian Ruffin

1632 Parole Board Member Summary 2
1633 *Id.*
1634 *Id.* at 4
1635 *Id.*
1636 *Id.* at 2
1637 *Id.* at 3
1638 *Id.*
1639 *Id.*
1640 *Id.*
1641 *Id.* at 4
1642 *Id.*
1643 *Id.* at 2
1644 *Id.* at 6
1645 *Id.* at 3
1646 *Id.*
1647 *Id.* at 6
1648 *Id.* at 7–10
1649 CORIS Parole Board Module → All Decisions
1650 *Id.*
1651 *Id.*
1652 *Id.*
1653 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1654 Parole Board Member Summary 7–10
1655 *Id.* at 7
1656 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1657 VPB Prosecutor Notification Log
1658 Facility Notes 1

Kamani Sun, f/k/a James Forman

1659 James Clinton Forman is the person who was convicted of the rape and burglary charges at issue. Forman legally changed his name to “Kamani Sun” in 2013, but because there is no record of convictions for “Kamani Sun,” he will be referred to in this report by the name under which he was convicted.
1660 Parole Board Member Summary 1
1661 *Id.*
1662 *Id.* at 3
1663 *Id.*
1664 *Id.*
1665 *Id.*
1666 *Id.*
1667 *Id.*
1668 *Id.*
1669 *Id.*

1670 *Id.*
1671 *Id.*
1672 *Id.*
1673 *Id.*
1674 *Id.*
1675 *Id.*
1676 *Id.*
1677 *Id.*
1678 *Id.*
1679 CORIS Disciplinary Offense Module
1680 Parole Board Member Summary 2
1681 *Id.*
1682 *Id.* at 4
1683 *Id.*
1684 *Id.*
1685 *Id.*
1686 *Id.* at 5
1687 Parole Board Member Summary 5–8
1688 *Id.*
1689 CORIS Parole Board Module → All Decisions
1690 *See* Appendix to Section IV, which describes Willie Brown’s convictions and discharge from parole supervision.
1691 Parole Board Member Summary 6
1692 *Id.* at 5
1693 *Id.*
1694 *Id.*
1695 CORIS Parole Board Module → All Decisions
1696 *Id.*
1697 Parole Board Member Summary 5
1698 CORIS Parole Board Module → All Decisions
1699 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1700 Parole Board Member Summary 5, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1701 VPB Prosecutor Notification Log
1702 Facility Notes 1

Keith Bynum

1703 Parole Board Member Summary 1
1704 *Id.*
1705 *Id.*
1706 *Id.*
1707 *Id.*
1708 *Id.*
1709 *Id.* at 2
1710 File summary from Virginia Beach Commonwealth’s Attorney’s Office
1711 *Id.*
1712 *Id.* at 3
1713 *Id.*
1714 *Id.*
1715 *Id.*
1716 *Id.*
1717 *Id.*
1718 *Id.* at 4
1719 *Id.*
1720 *Id.*
1721 *Id.*
1722 CORIS Disciplinary Offense Module
1723 Parole Board Member Summary 2

1724 *Id.* at 3
1725 *Id.*
1726 *Id.* at 2
1727 *Id.* at 6
1728 File summary from Virginia Beach Commonwealth's Attorney's Office
1729 2017 Parole Examiner Interview of Shakil Ali (f/k/a Charles McGuffin Jr.)
1730 Parole Board Member Summary 5
1731 *Id.*
1732 *Id.*
1733 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1734 *Id.*
1735 VPB Prosecutor Notification Log
1736 Facility Notes 1

Keith Harrington

1737 Parole Board Member Summary 3
1738 *Id.*
1739 *Id.* at 5
1740 *Id.* at 3
1741 *Id.* at 5
1742 *Id.* at 3
1743 *Id.*
1744 *Id.*
1745 *Id.*
1746 *Id.* at 5
1747 *Id.*
1748 *Id.* at 3
1749 *Id.* at 5
1750 *Id.*
1751 *Id.* at 2
1752 *Id.* at 5
1753 *Id.*
1754 *Id.*
1755 *Id.* at 2
1756 *Id.* at 4
1757 *Id.*
1758 *Id.*
1759 *Id.*
1760 *Id.* at 2
1761 *Id.* at 4
1762 *Id.*
1763 *Id.*
1764 *Id.*
1765 *Id.*
1766 *Id.*
1767 *Id.*
1768 *Id.*
1769 *Id.*
1770 *Id.*
1771 *Id.*
1772 *Id.* at 5
1773 *Id.*
1774 *Id.*
1775 CORIS Disciplinary Offense Module
1776 Parole Board Member Summary 3
1777 *Id.* at 4

1778 *Id.* at 6
1779 *Id.* at 7
1780 *Id.*
1781 *Id.*
1782 *Id.*
1783 *Id.*
1784 *Id.*
1785 *Id.*
1786 *Id.*
1787 *Id.* at 8
1788 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1789 *See generally* Parole Board Member Summary
1790 *Id.* at 8
1791 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1792 VPB Prosecutor Notification Log
1793 Facility Notes 1
1794 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and
Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant.
Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked
and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an
opportunity to provide input prior to release.”

Keith Speight

1795 Parole Board Member Summary 3
1796 *Id.*
1797 *Id.*
1798 *Id.*
1799 *Id.* at 4
1800 *Id.*
1801 *Id.*
1802 *Id.*
1803 *Id.*
1804 *Id.*
1805 *Id.*
1806 *Id.*
1807 *Id.*
1808 *Id.*
1809 *Id.*
1810 *Id.*
1811 *Id.*
1812 *Id.*
1813 *Id.*
1814 *Id.*
1815 *Id.*
1816 *Id.*
1817 *Id.*
1818 *Id.*
1819 CORIS Disciplinary Offense Module
1820 Parole Board Member Summary 3
1821 *Id.*
1822 *Id.*
1823 *Id.*
1824 *Id.*
1825 *Id.*
1826 *Id.* at 5
1827 *Id.*

1828 *Id.* at 7
1829 *Id.* at 9
1830 *Id.*
1831 CORIS Parole Board Module → All Decisions
1832 *Id.*
1833 *Id.*
1834 *Id.*
1835 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1836 Parole Board Member Summary 9
1837 *Id.*
1838 *Id.*
1839 *Id.*
1840 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1841 VPB Prosecutor Notification Log
1842 Facility Notes 1

Kerry Pope

1843 Parole Board Member Summary 3
1844 *Id.*
1845 *Id.*
1846 *Id.*
1847 *Id.*
1848 *Id.*
1849 *Id.*
1850 *Id.*
1851 *Id.* at 4
1852 *Id.*
1853 *Id.*
1854 *Id.*
1855 *Id.*
1856 *Id.*
1857 *Id.*
1858 *Id.*
1859 *Id.*
1860 *Id.*
1861 *Id.*
1862 *Id.*
1863 *Id.*
1864 *Id.*
1865 *Id.*
1866 *Id.*
1867 *Id.*
1868 *Id.*
1869 *Id.*
1870 *Id.*
1871 *Id.*
1872 *Id.*
1873 CORIS Disciplinary Offense Module
1874 Parole Board Member Summary 3
1875 *Id.*, CORIS Parole Board Module → All Interviews/Hearings
1876 Parole Board Member Summary 3
1877 *Id.*
1878 *Id.*
1879 *Id.*
1880 *Id.* at 5
1881 *Id.*

1882 *Id.*
1883 *Id.*
1884 *Id.*
1885 *Id.*
1886 *Id.*
1887 *Id.*
1888 *See generally* Parole Board Member Summary
1889 CORIS Victim Contact Log
1890 *See generally* Parole Board Member Summary
1891 Parole Board Member Summary 6–8
1892 *Id.* at 6
1893 *Id.*
1894 *Id.*
1895 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1896 *Id.*
1897 VPB Prosecutor Notification Log
1898 *Id.*
1899 Facility Notes 1
1900 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

Kevin Maxwell

1901 Parole Board Member Summary 1
1902 *Id.*
1903 *Id.* at 4
1904 *Id.*
1905 *Id.*
1906 *Id.* at 2
1907 *Id.*
1908 *Id.* at 4
1909 *Id.* at 6
1910 *Id.* at 7
1911 *Id.* at 6
1912 *Id.*
1913 *Id.*
1914 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1915 Parole Board Member Summary 7
1916 *Id.*
1917 VPB Prosecutor Notification Log
1918 Facility Notes 1

Lamont Willingham

1919 Parole Board Member Summary 2
1920 *Id.* at 2, 3
1921 *Id.* at 2
1922 *Id.*
1923 *Id.* at 3
1924 *Id.*
1925 *Id.*
1926 *Id.*
1927 CORIS Parole Board Module → Offender Summary → All Interviews/Hearings
1928 Parole Board Member Summary 3
1929 Parole Board Informational Composite 5

1930 *Id.*
1931 *Id.*
1932 *Id.*
1933 Parole Board Member Summary 3
1934 *Id.*
1935 *Id.*
1936 *Id.*
1937 *Id.*
1938 *Id.*
1939 *Id.*
1940 *Id.*
1941 *Id.*
1942 *Id.*
1943 *Id.*
1944 *Id.*
1945 Parole Board Informational Composite 6
1946 *Id.*
1947 *Id.*
1948 Parole Board Member Summary 2
1949 *Id.* at 4
1950 CORIS Disciplinary Offense Module
1951 *Id.*
1952 Parole Board Member Summary 3
1953 *Id.*
1954 *Id.* at 4
1955 *Id.* at 5
1956 *Id.* at 6
1957 *Id.*
1958 *Id.* at 5–6
1959 *Id.*
1960 *Id.*
1961 *Id.*
1962 *Id.*
1963 *Id.*
1964 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1965 Parole Board Member Summary 5
1966 *Id.*
1967 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1968 VPB Prosecutor Notification Log
1969 Facility Notes 1
1970 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”
1971 Victim information received from Virginia Beach Commonwealth’s Attorney’s Office

Larry Neal

1972 Parole Board Member Summary 2
1973 *Id.*
1974 *Id.*
1975 *Id.* at 3, 4
1976 *Id.* at 4
1977 *Id.*
1978 *Id.*
1979 *Id.*

1980 *Id.*
1981 *Id.*
1982 *Id.*
1983 *Id.*
1984 *Id.*
1985 *Id.*
1986 CORIS Disciplinary Offense Module
1987 Parole Board Member Summary 2
1988 *Id.*, CORIS Parole Board Module → All Interviews/Hearings
1989 Parole Board Member Summary 3
1990 *Id.* at 6
1991 *Id.* at 7
1992 *Id.*
1993 *Id.*
1994 *Id.*
1995 *Id.*
1996 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
1997 Parole Board Member Summary 7
1998 *Id.*
1999 VPB Prosecutor Notification Log
2000 Facility Notes 1

Linwood Chandler

2001 Parole Board Member Summary 1
2002 *Id.* at 3
2003 *Id.* at 1
2004 *Id.* at 4
2005 *Id.* at 1
2006 *Id.* at 4
2007 *Id.*
2008 *Id.*
2009 *Id.*
2010 *Id.*
2011 *Id.*
2012 *Id.*
2013 *Id.*
2014 CORIS Disciplinary Offense Module
2015 Parole Board Member Summary 2
2016 *Id.* at 3
2017 *Id.*
2018 *Id.* at 5
2019 *Id.* at 6, CORIS Parole Board Module → All Interviews/Hearings
2020 March 22, 2020 email from Linda Bryant to Lisa Bowen
2021 March 23, 2020 email from Lisa Bowen to Linda Bryant
2022 CORIS Parole Board Module → All Decisions
2023 *Id.*
2024 *Id.*
2025 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2026 Parole Board Member Summary 6
2027 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2028 VPB Prosecutor Notification Log
2029 Facility Notes 1
2030 File summary from Virginia Beach Commonwealth's Attorney's Office
2031 Parole Board Member Summary 2
2032 *Id.*
2033 *Id.*

2034 *Id.*
2035 *Id.*
2036 *Id.* at 4
2037 *Id.*
2038 *Id.*
2039 *Id.*
2040 *Id.*
2041 *Id.*
2042 *Id.* at 6
2043 *Id.* at 8
2044 *Id.* at 4
2045 CORIS Disciplinary Offense Module
2046 Parole Board Member Summary 3
2047 CORIS Disciplinary Offense Module
2048 *See generally* Parole Board Member Summary
2049 Parole Board Member Summary 3
2050 *Id.* at 5
2051 *Id.*
2052 *Id.* at 6–8
2053 *Id.* at 6
2054 *Id.* at 5
2055 *Id.* at 6
2056 *Id.* at 5
2057 *Id.* at 6
2058 *Id.* at 5
2059 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2060 Parole Board Member Summary 6
2061 *Id.*
2062 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2063 VPB Prosecutor Notification Log
2064 Facility Notes 1

Mark Dixon

2065 Parole Board Member Summary 1, 2
2066 *Id.* at 1
2067 *Id.* at 2
2068 *Id.*
2069 *Id.*
2070 *Id.*
2071 *Id.*
2072 *Id.*
2073 *Id.*
2074 *Id.*
2075 *Id.*
2076 *Id.*
2077 *Id.* at 2–3
2078 *Id.* at 3
2079 *Id.*
2080 *Id.*
2081 *Id.*
2082 *Id.*
2083 *Id.*
2084 *Id.*
2085 CORIS Disciplinary Offense Module
2086 Parole Board Member Summary 2
2087 *Id.* at 4

2088 *Id.* at 5
2089 *Id.* at 5–8
2090 *Id.* at 6
2091 *Id.*
2092 *Id.*
2093 *Id.*
2094 *Id.*
2095 *Id.*
2096 *Id.* at 5–6
2097 *Id.* at 5
2098 *Id.*
2099 *Id.*
2100 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2101 Parole Board Member Summary 5
2102 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2103 Parole Board Member Summary 5
2104 VPB Prosecutor Notification Log
2105 Facility Notes 1

Maurice Jarvis

2106 2020 Parole Board Member Summary 1–3
2107 *Id.* at 5–6
2108 *Id.* at 3
2109 *Id.* at 4–5
2110 *Id.* at 7
2111 *Id.* at 8
2112 *Id.*
2113 *Id.*
2114 *Id.* at 9
2115 *Id.* at 8
2116 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2117 2020 Parole Board Member Summary 9
2118 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2119 VPB Prosecutor Notification Log
2120 Facility Notes 1
2121 Supervision Notes 4
2122 2022 Parole Board Member Summary 1
2123 *Id.* at 4
2124 *Id.*
2125 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

Michael Corp

2126 Parole Board Member Summary 2
2127 *Id.* at 2, 5
2128 *Id.*
2129 *Id.* at 2
2130 *Id.*
2131 *Id.*
2132 *Id.* at 3
2133 *Id.*
2134 *Id.*
2135 *Id.* at 5

2136 *Id.*
2137 *Id.*
2138 *Id.* at 3
2139 *Id.* at 7
2140 *Id.* at 4
2141 *Id.*
2142 *Id.* at 7
2143 *Id.* at 8
2144 *Id.*
2145 *Id.*
2146 *Id.*
2147 *Id.*
2148 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2149 Parole Board Member Summary 8, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2150 VPB Prosecutor Notification Log
2151 Facility Notes 1
2152 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

Michael Liverman

2153 Parole Board Member Summary 1–2
2154 *Id.* at 3
2155 *Id.* at 4
2156 *Id.*
2157 *Id.*
2158 *Id.*
2159 *Id.*
2160 *Id.*
2161 *Id.*
2162 *Id.*
2163 *Id.*
2164 *Id.*
2165 *Id.*
2166 *Id.*
2167 *Id.*
2168 CORIS Disciplinary Offense Module
2169 Parole Board Member Summary 3
2170 *Id.*
2171 *Id.* at 5
2172 *Id.*
2173 *Id.* at 6
2174 *Id.* at 9
2175 *Id.* at 7–9
2176 *Id.* at 6
2177 *Id.*
2178 *Id.* at 7
2179 *Id.* at 6
2180 *Id.*
2181 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2182 Parole Board Member Summary 7
2183 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2184 VPB Prosecutor Notification Log
2185 Facility Notes 1

Michael Palmer

2186 Parole Board Member Summary 2

2187 *Id.*

2188 *Id.*

2189 *Id.*

2190 *Id.* at 3

2191 *Id.*

2192 *Id.*

2193 *Id.*

2194 *Id.*

2195 *Id.* For reasons that are discussed more thoroughly in Section V of this Report, the method by which VPB restored Palmer's discretionary parole eligibility was unlawful.

2196 Parole Board Member Summary 4

2197 CORIS Disciplinary Offense Module

2198 Parole Board Member Summary 3

2199 *Id.* at 5

2200 *Id.* at 6

2201 CORIS Parole Board Module → All Decisions

2202 *Id.*

2203 *Id.*

2204 *Id.*

2205 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

2206 Parole Board Member Summary 6

2207 Email of Feb. 5, 2020, 11:24 a.m. from Lisa Bowen to Laura Dobson and Casey West

2208 Parole Board Member Summary 6

2209 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

2210 VPB Prosecutor Notification Log

2211 Facility Notes 1

2212 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, "If an individual's parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release."

Michael Spain

2213 Parole Board Member Summary 3

2214 *Id.*

2215 *Id.*

2216 *Id.*

2217 *Id.*

2218 *Id.*

2219 *Id.*

2220 *Id.*

2221 *Id.*

2222 *Id.*

2223 *Id.* at 4

2224 *Id.*

2225 *Id.*

2226 *Id.*

2227 *Id.*

2228 *Id.*

2229 *Id.*

2230 *Id.*

2231 *Id.*

2232 *Id.* at 5

2233 CORIS Disciplinary Offense Module

2234 *Id.*
2235 Parole Board Member Summary 3
2236 *Id.* at 4
2237 *Id.* at 3
2238 *Id.* at 6
2239 *Id.* at 7
2240 *Id.* at 6
2241 *Id.*
2242 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2243 Parole Board Member Summary 7
2244 *Id.*
2245 *Id.*
2246 *Id.* Spain’s murder conviction was a qualifying registry offense under Va. Code § 9.1-902.
2247 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2248 VPB Prosecutor Notification Log
2249 Facility Notes 1

Ovell Barber

2250 Parole Board Member Summary 2
2251 *Id.*
2252 *Id.* at 4
2253 *Id.*
2254 *Id.*
2255 *Id.*
2256 *Id.*
2257 *Id.*
2258 *Id.*
2259 CORIS Disciplinary Offense Module
2260 *Id.*
2261 Parole Board Member Summary 2
2262 *Id.* at 3
2263 *Id.*
2264 *Id.*
2265 *Id.* at 6
2266 *Id.* at 11
2267 *Id.*
2268 *Id.* at 7–11
2269 *Id.* at 7
2270 *Id.*
2271 *Id.*
2272 *Id.*
2273 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2274 Parole Board Member Summary 7
2275 *Id.*
2276 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2277 VPB Prosecutor Notification Log
2278 Facility Notes 1

Patrick Mack

2279 Parole Board Member Summary 2
2280 *Id.*
2281 *Id.*
2282 *Id.* at 4
2283 *Id.*
2284 *Id.*
2285 *Id.*

2286 *Id.*
2287 *Id.*
2288 *Id.*
2289 *Id.*
2290 *Id.*
2291 *Id.*
2292 *Id.*
2293 *Id.*
2294 *Id.*
2295 *Id.*
2296 *Id.* at 5
2297 *Id.*
2298 *Id.*
2299 *Id.*
2300 CORIS Disciplinary Offense Module
2301 Parole Board Member Summary 3
2302 *Id.*
2303 *Id.* at 6
2304 *Id.*
2305 *Id.* at 7–8
2306 *Id.* at 7
2307 *Id.*
2308 *Id.*
2309 *Id.*
2310 *Id.*
2311 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2312 Parole Board Member Summary 7
2313 *Id.*
2314 Parole Board Member Summary for offender Charlie Wilson at 6
2315 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2316 VPB Prosecutor Notification Log
2317 *Id.*
2318 Facility Notes 1

Paul Hinkle

2319 Parole Board Member Summary 2
2320 *Id.*
2321 *Id.* at 3
2322 *Id.*
2323 *Id.*
2324 *Id.*
2325 *Id.*
2326 *Id.*
2327 CORIS Disciplinary Offense Module
2328 Parole Board Member Summary 2
2329 *Id.* at 4
2330 *Id.*
2331 *Id.*
2332 *Id.* at 5
2333 *Id.*
2334 CORIS Parole Board Module → All Decisions
2335 *Id.*
2336 CORIS Parole Board Module → All Decisions
2337 *Id.*
2338 *Id.*
2339 *Id.*

2340 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2341 Parole Board Member Summary 5
2342 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2343 Under applicable law at the time, prosecutor notification in geriatric conditional release cases was not required.
2344 VPB Prosecutor Notification Log
2345 Facility Notes 1

Pernell Redwine

2346 Parole Board Member Summary 2
2347 *Id.*
2348 *Id.* at 4
2349 *Id.* at 3
2350 *Id.* at 2
2351 *United States v. Redwine*, No. 3:87cr70 (slip op.) (E.D.Va. Nov. 20, 2020)
2352 Parole Board Member Summary 3
2353 *Id.* at 5
2354 *Id.*
2355 *Id.*
2356 *Id.*
2357 *Id.*
2358 *Redwine*, No. 3:87cr70 (slip op.)
2359 *Id.*
2360 *Id.*
2361 *Id.*
2362 *Id.*
2363 *Id.*
2364 *Id.*
2365 *Id.*
2366 *Id.*
2367 *Id.*
2368 Parole Board Member Summary 5
2369 *Id.* at 6
2370 *Id.* at 3
2371 *Id.* at 6
2372 *Id.* at 4
2373 *Id.*
2374 *Id.* at 7
2375 *Id.* at 8
2376 *See generally* Parole Board Member Summary
2377 CORIS Parole Board Module → All Decisions
2378 *Id.*
2379 *Id.*
2380 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2381 Parole Board Member Summary 8
2382 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2383 VPB Prosecutor Notification Log
2384 *Id.*
2385 Facility Notes 1

Ralph Spainhour

2386 Parole Board Member Summary 2
2387 *Id.*
2388 *Id.* at 3
2389 *Id.*
2390 *Id.*
2391 *Id.*

2392 *Id.* at 2
2393 *Id.*
2394 *Id.*
2395 *Id.*
2396 *Id.* at 4
2397 *Id.*
2398 CORIS Parole Board Module → All Decisions
2399 *Id.*
2400 *Id.*
2401 *Id.*
2402 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2403 Parole Board Member Summary 5
2404 *Id.*
2405 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2406 VPB Prosecutor Notification Log
2407 Parole Board Member Summary 4
2408 Facility Notes 1

Rickie Lampkin

2409 Parole Board Member Summary 3–4
2410 *Id.* at 6
2411 *Id.*
2412 *Id.*
2413 *Id.* at 3–4
2414 CORIS Disciplinary Offense Module
2415 Parole Board Member Summary 5
2416 *Id.* at 7
2417 *Id.*
2418 Parole Board Member Summary 8
2419 CORIS Parole Board Module → All Decisions
2420 *Id.*
2421 *Id.*
2422 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2423 Parole Board Member Summary 8
2424 *Id.*
2425 *Id.*
2426 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2427 Facility Notes 1

Robert Day

2428 Parole Board Member Summary 2, 4
2429 *Id.* at 2
2430 *Id.*
2431 *Id.*
2432 *Id.*
2433 *Id.* at 2, 4
2434 *Id.* at 2
2435 *Id.* at 4
2436 *Id.*
2437 *Id.*
2438 *Id.*
2439 *Id.*
2440 *Id.*
2441 *Id.*
2442 *Id.*
2443 *Id.*

2444 *Id.*
2445 *Id.*
2446 *Id.*
2447 CORIS Disciplinary Offense Module
2448 Parole Board Member Summary 3
2449 CORIS Parole Board Module → All Interviews/Hearings
2450 Parole Board Member Summary 3
2451 *Id.*
2452 *Id.*
2453 *Id.* at 8
2454 *Id.* at 7
2455 *Id.*
2456 *Id.*
2457 *Id.* at 6
2458 *Id.*
2459 *Id.*
2460 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2461 Parole Board Member Summary 7, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2462 VPB Prosecutor Notification Log
2463 Parole Board Member Summary 7
2464 Facility Notes 1

Robert Godfrey

2465 Parole Board Member Summary 2
2466 *Id.*
2467 *Id.*
2468 *Id.*
2469 *Id.* at 4
2470 *Id.*
2471 *Id.*
2472 *Id.*
2473 *Id.*
2474 *Id.*
2475 *Id.*
2476 *Id.*
2477 *Id.*
2478 *Id.*
2479 *Id.*
2480 *Id.*
2481 CORIS Disciplinary Offense Module
2482 Parole Board Member Summary 2
2483 *Id.* at 5
2484 *Id.* at 3
2485 *Id.* at 5
2486 *Id.*
2487 *Id.*
2488 *Id.* at 6
2489 *Id.* at 7–12
2490 *Id.* at 7, 10, 11
2491 *Id.* at 7–12
2493 *Id.* at 6
2494 *Id.*
2495 *Id.*
2496 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2497 Parole Board Member Summary 7
2498 *Id.*

2499 *Id.* at 6
2500 *Id.* at 6
2501 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2502 VPB Prosecutor Notification Log
2503 Facility Notes 1

Robert Muhammad, f/k/a Robert Oliver

2504 Oliver changed his name to Robert Mustafa Farook Muhammad in Nottoway Circuit Court in 2001.
2505 Parole Board Member Summary 2
2506 *Id.*
2507 *Id.*
2508 *Id.*
2509 *Id.*
2510 *Id.* at 3
2511 *Id.*
2512 *Id.*
2513 *Id.*
2514 *Id.*
2515 *Id.*
2516 *Id.*
2517 *Id.*
2518 *Id.*
2519 *Id.*
2520 *Id.*
2521 CORIS Disciplinary Offense Module
2522 Parole Board Member Summary 2
2523 *Id.* at 3
2524 *Id.* at 5
2525 *Id.* at 6
2526 *Id.* at 7
2527 CORIS Parole Board Module → All Decisions
2528 *Id.*
2529 *Id.*
2530 *Id.*
2531 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2532 Parole Board Member Summary 7
2533 *Id.*
2534 *Id.*
2535 *Id.*
2536 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2537 VPB Prosecutor Notification Log
2538 Parole Board Member Summary 7
2539 Facility Notes 1

Roger Forbes

2540 Parole Board Member Summary 2
2541 *Id.*
2542 *Id.*
2543 *Id.*
2544 *Id.*
2545 *Id.*
2546 *Id.* at 4
2547 *Id.*
2548 *Id.*
2549 *Id.*
2550 *Id.*

2551 CORIS Disciplinary Offense Module
2552 *Id.*
2553 Parole Board Member Summary 2
2554 *Id.* at 3
2555 *Id.* at 5
2556 *Id.* at 6
2557 *Id.* at 6–7
2558 CORIS Parole Board Module → All Decisions
2559 *Id.*
2560 *Id.*
2561 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2562 Parole Board Member Summary 6
2563 *Id.*
2564 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2565 VPB Prosecutor Notification Log
2566 Facility Notes 1

Ronald Patterson-El, f/k/a Ronald Dennis

2567 Ronald Dennis changed his name twice while incarcerated: first to “Raqeeb Asar Mutawakkil,” and then in 2010 to “Ronald Patterson-El.” He will be referred to as “Ronald Dennis” during this discussion of the crimes he committed, which occurred while his name was “Ronald Dennis.” There is no record of convictions for “Ronald Patterson-El.”
2568 Parole Board Member Summary 2, 4
2569 *Id.* at 2
2570 *Id.*
2571 *Id.*
2572 *Id.*
2573 *Id.*
2574 *Id.*
2575 *Id.*
2576 *Id.* at 4
2577 *Id.*
2578 *Id.*
2579 *Id.*
2580 *Id.*
2581 *Id.*
2582 *Id.*
2583 *Id.*
2584 *Id.*
2585 *Id.*
2586 *Id.*
2587 *Id.*
2588 *Id.*
2589 *Id.*
2590 *Id.*
2591 *Id.*
2592 *Id.* at 7
2593 *Id.* at 4
2594 *Id.*
2595 CORIS Disciplinary Offense Module
2596 Parole Board Member Summary 2
2597 *Id.* at 3
2598 *Id.* at 5
2599 *Id.* at 6
2600 *Id.* at 8–9
2601 *Id.* at 7
2602 *Id.* at 8

2603 Email from Adrienne Bennett to Lisa Bowen, Feb. 14, 2020
2604 Parole Board Member Summary 8
2605 *Id.*
2606 *Id.* at 7
2607 *Id.*
2608 *Id.*
2609 *Id.*
2610 *Id.*
2611 *Id.*
2612 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2613 Parole Board Member Summary 7, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2614 VPB Prosecutor Notification Log
2615 VPB Prosecutor Notification Log
2616 Parole Board Member Summary 7
2617 Facility Notes 1

Ronald Powers

2618 Parole Board Member Summary 1
2619 *Id.*
2620 *Id.* at 3
2621 *Id.* at 4
2622 *Id.*
2623 *Id.*
2624 *Id.*
2625 CORIS Disciplinary Offense Module
2626 Parole Board Member Summary 2
2627 *Id.* at 7
2628 *Id.* at 3
2629 *Id.* at 7
2630 *Id.*
2631 *Id.* at 8
2632 *Id.*
2633 *Id.*
2634 *Id.*
2635 CORIS Parole Board Module → All Decisions
2636 *Id.*
2637 *Id.*
2638 *Id.*
2639 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2640 Parole Board Member Summary 7–8
2641 *Id.* at 7
2642 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2643 VPB Prosecutor Notification Log
2644 Facility Notes 1

Sam Lloyd

2645 Parole Board Member Summary 2
2646 *Id.* at 5
2647 *Id.* at 2
2648 *Id.*
2649 *Id.*
2650 *Id.* at 3
2651 Parole Board Informational Composite 1
2652 *Id.*
2653 *Id.*
2654 *Id.*

2655 *Id.*
2656 *Id.*
2657 *Id.*
2658 *Id.*
2659 *Id.*
2660 *Id.*
2661 *Id.*
2662 *Id.*
2663 *Id.*
2664 *Id.*
2665 *Id.*
2666 *Id.*
2667 *Id.*
2668 *Id.*
2669 *Id.*
2670 *Id.*
2671 *Id.* at 2
2672 Parole Board Member Summary 3
2673 *Id.*
2674 *Id.* at 5, Parole Board Informational Composite 3
2675 CORIS Disciplinary Offense Module
2676 Parole Board Member Summary 3
2677 *Id.* at 5
2678 *Id.* at 6
2679 *Id.*, CORIS Parole Board Module → All Interviews/Hearings
2680 *See generally* Parole Board Member Summary
2681 Parole Board Member Summary 7
2682 CORIS Parole Board Module → All Decisions
2683 *Id.*
2684 *Id.*
2685 *Id.*
2686 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2687 Parole Board Member Summary 7, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2688 VPB Prosecutor Notification Log
2689 Facility Notes 1

Taquan Rodgers

2690 Parole Board Member Summary 2
2691 *Id.*
2692 *Id.* at 3
2693 *Id.*
2694 *Id.*
2695 *Id.*
2696 *Id.*
2697 *Id.*
2698 *Id.*
2699 *Id.*
2700 CORIS Disciplinary Offense Module
2701 Parole Board Member Summary 2
2702 *Id.* at 4
2703 *Id.* at 2
2704 *Id.* at 4
2705 *Id.*
2706 *Id.* at 5
2707 *Id.*
2708 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

2709 Facility Notes 4
2710 Parole Board Member Summary 6
2711 *Id.*
2712 *Id.*
2713 *Id.*
2714 *Id.*
2715 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2716 VPB Prosecutor Notification Log
2717 Facility Notes 1

Theodore Reavis

2718 Parole Board Member Summary 2
2719 *Id.* at 2, 3
2720 *Id.* at 2
2721 *Id.* at 5
2722 *Id.*
2723 *Id.*
2724 *Id.*
2725 *Id.*
2726 *Id.* at 3
2727 *Id.*
2728 *Id.*
2729 *Id.*
2730 *Id.*
2731 *Id.*
2732 *Id.*
2733 *Id.* at 5
2734 *Id.*
2735 CORIS Disciplinary Offense Module
2736 Parole Board Member Summary 3
2737 *Id.* at 4
2738 *Id.* at 5
2739 *Id.* at 6–7
2740 *Id.* at 7
2741 *Id.*
2742 *See generally* Parole Board Member Summary, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2743 CORIS Parole Board Module → All Decisions
2744 *Id.*
2745 *Id.*
2746 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2747 Parole Board Member Summary 6, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2748 VPB Prosecutor Notification Log
2749 Facility Notes 1; Signed Conditions of Release
2750 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

Timothy Matthews

2751 Parole Board Member Summary 1
2752 *Id.*
2753 *Id.* at 4
2754 *Id.* at 1
2755 *Id.*
2756 *Id.* at 4

2757 *Id.*
2758 *Id.*
2759 *Id.*
2760 *Id.*
2761 *Id.*
2762 *Id.*
2763 *Id.*
2764 *Id.*
2765 *Id.*
2766 *Id.*
2767 *Id.*
2768 CORIS Disciplinary Offense Module
2769 Parole Board Member Summary 2
2770 *Id.* at 3
2771 *Id.*
2772 *Id.*
2773 *Id.*
2774 *Id.*
2775 *Id.* at 6
2776 *Id.* at 18
2777 *Id.* at 7–18
2778 *Id.* at 9
2779 *Id.*
2780 *Id.*
2781 *Id.*
2782 *Id.* at 7
2783 *Id.*
2784 *Id.*
2785 *Id.*
2786 *Id.*
2787 Email of March 4, 2020, 3:32 p.m., from Lisa Bowen to Linda Bryant
2788 Parole Board Member Summary 7
2789 Email of March 17, 2020, 2:55 p.m., from Linda Bryant to Adrienne Bennett and Lisa Bowen
2790 Email of March 17, 2020, 3:17 p.m., from Adrienne Bennett to Linda Bryant and Lisa Bowen
2791 Email of March 17, 2020, 3:47 p.m., from Lisa Bowen to Adrienne Bennett and Linda Bryant
2792 Email of March 17, 2020, 4:03 p.m., from Linda Bryant to Adrienne Bennett and Lisa Bowen
2793 Parole Board Member Summary 7
2794 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2795 Parole Board Member Summary 7
2796 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2797 VPB Prosecutor Notification Log
2798 Email of April 14, 2020, 2:33 p.m., from Judy Holl to Lisa Bowen
2799 Email of April 15, 2020, 8:32 a.m., from Lisa Bowen to Judy Holl
2800 Facility Notes 1

Tony McCadden

2801 Parole Board Member Summary 2
2802 *Id.*
2803 *Id.* at 4
2804 *Id.*
2805 *Id.*
2806 *Id.*
2807 *Id.*
2808 *Id.*
2809 *Id.*
2810 *Id.*

2811 *Id.*
2812 *Id.*
2813 *Id.*
2814 *Id.*
2815 *Id.*
2816 *Id.* at 3
2817 *Id.*
2818 *Id.*
2819 *Id.* at 7
2820 *Id.*
2821 *See generally* Parole Board Member Summary
2822 CORIS Parole Board Module → All Decisions
2823 *Id.*
2824 *Id.*
2825 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2826 Parole Board Member Summary 8
2827 *Id.*
2828 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2829 Under then-existing law, prosecutor notification in geriatric conditional release cases was not required.
2830 VPB Prosecutor Notification Log
2831 Parole Board Member Summary 8
2832 *Id.*

Toronto McCall

2833 Parole Board Member Summary 2
2834 *Id.*
2835 *Id.*
2836 *Id.* at 3; June Arney, *Father's Concern: Too Little, Too Late*, *Virginian-Pilot*, Jan. 18, 1995
2837 Parole Board Member Summary 3
2838 *Id.*
2839 *Id.*
2840 *Id.*
2841 *Id.*
2842 *Id.*
2843 *Id.*
2844 *Id.*
2845 *Id.*
2846 *Id.*
2847 *Id.*
2848 CORIS Disciplinary Offense Module
2849 CORIS Parole Board Module → All Interviews/Hearings
2850 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2851 Parole Board Member Summary 2
2852 *Id.*
2853 CORIS Parole Board Module → All Interviews/Hearings
2854 Parole Board Member Summary 2
2855 *Id.* at 4
2856 *Id.*
2857 *Id.*
2858 *Id.* at 5
2859 *Id.*
2860 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2861 Parole Board Member Summary 5–7
2862 *Id.* at 7, 6
2863 *Id.* at 5
2864 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

2865 VPB Prosecutor Notification Log

2866 Facility Notes 1

2867 *Id.*

2868 *Id.*

2869 *Id.*

2870 *Id.*

2871 *Id.* at 21

2872 *Id.* at 3

2873 *Id.*

2874 *Id.* at 2

2875 *Id.* at 1

2876 *Id.*

2877 Facility Notes 2

Tyrone Ragland

2878 Parole Board Member Summary 1, 3

2879 *Id.* at 3

2880 *Id.*

2881 *Id.*

2882 *Id.*

2883 Parole Board Informational Composite 1

2884 *Ragland v. Commonwealth*, 16 Va. App. 913 (1993)

2885 *Id.*

2886 Parole Board Member Summary 2, 3

2887 Parole Board Informational Composite 2

2888 Parole Board Member Summary 3

2889 Parole Board Informational Composite 3

2890 Parole Board Member Summary 3

2891 CORIS Disciplinary Offense Module

2892 *Id.*, Facility Notes 1

2893 CORIS Disciplinary Offense Module

2894 *Id.*

2895 Parole Board Member Summary 2

2896 *Id.*

2897 *Id.*

2898 *Id.*

2899 *Id.* at 5

2900 *Id.* at 6

2901 *Id.*

2902 *Id.* at 9

2903 *Id.* at 6–8

2904 *Id.* at 7

2905 *Id.* at 6

2906 CORIS Parole Board Module → All Decisions

2907 Email of February 28, 2020, 11:11 a.m., from Lisa Bowen to Pamela Kelly and Saly Faye

2908 Email of March 4, 2020, 9:48 a.m., from Pamela Kelly to Lisa Bowen

2909 Parole Board Member Summary 6

2910 *Id.*

2911 *Id.*

2912 *Id.*

2913 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>

2914 VPB Prosecutor Notification Log

2915 Facility Notes 1

Tyson Golden

2916 Parole Board Member Summary 2

2917 *Id.* at 3
2918 *Id.* at 5
2919 *Id.*
2920 *Id.*
2921 *Id.*
2922 *Id.*
2923 *Id.*
2924 *Id.*
2925 CORIS Disciplinary Offense Module
2926 Parole Board Member Summary 3
2927 *Id.* at 4
2928 *Id.* at 6
2929 *Id.*
2930 *Id.* at 4
2931 *Id.*
2932 *Id.* at 7
2933 *Id.*
2934 *Id.* at 9
2935 *Id.* at 8
2936 *Id.*
2937 *Id.*
2938 *Id.* at 9
2939 *Id.*
2940 *Id.* at 8
2941 *Id.*
2942 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2943 CORIS Parole Board Module → All Decisions
2944 Parole Board Member Summary 9
2945 *Id.* at 8
2946 *Id.* at 8
2947 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2948 VPB Prosecutor Notification Log
2949 Facility Notes 1

Victor Brown

2950 Parole Board Member Summary 2
2951 *Id.*
2952 *Id.*
2953 *Id.*
2954 *Id.* at 2, 5
2955 *Id.*
2956 *Id.* at 2
2957 *Id.*
2958 *Id.* at 3–4
2959 *Id.* at 3
2960 *Id.* at 4
2961 *Id.* at 3
2962 *Id.*
2963 *Id.*
2964 *Id.*
2965 *Id.*
2966 *Id.*
2967 *Id.*
2968 *Id.* at 3–4
2969 *Id.* at 4
2970 *Id.*

2971 *Id.*
2972 *Id.*
2973 *Id.*
2974 *Id.* at 5
2975 CORIS Disciplinary Offense Module
2976 Parole Board Member Summary 5
2977 *Id.* at 3
2978 *Id.* at 5
2979 *Id.* at 6
2980 *Id.*
2981 *Id.*
2982 *Id.*
2983 *Id.*
2984 *Id.*
2985 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
2986 VPB Prosecutor Notification Log
2987 Facility Notes 1
2988 Supervision Notes 3
2989 *Id.* at 2

Walter Lawson

2990 Parole Board Member Summary 2
2991 *Id.* at 3
2992 *Id.*
2993 *Id.*
2994 *Id.*
2995 *Id.*
2996 *Id.*
2997 *Id.*
2998 *Id.*
2999 *Id.*
3000 *Id.*
3001 *Id.*
3002 *Id.*
3003 *Id.*
3004 *Id.*
3005 *Id.*
3006 *Id.*
3007 *Id.*
3008 *Id.*
3009 Parole Board Member Summary for offender Darnell Sumrell 5
3010 Parole Board Member Summary for Walter Lawson 3
3011 *Id.*
3012 *Id.* at 3–4
3013 *Id.* at 3
3014 *Id.*
3015 *Id.*
3016 *Id.*
3017 *Id.*
3018 *Id.* at 4
3019 *Id.*
3020 *Id.*
3021 *Id.*
3022 *Id.*
3023 *Id.*
3024 *Id.*

3025 *Id.*
3026 *Id.* at 3
3027 *Id.* at 4
3028 *Id.* at 3
3029 *Id.*
3030 *Id.* at 4
3031 *Id.*
3032 *Id.* at 5
3033 *See generally* Parole Board Member Summary
3034 Parole Board Member Summary 5
3035 *Id.* at 5–8
3036 *Id.* at 5
3037 *Id.*
3038 *Id.*
3039 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3040 Parole Board Member Summary 5, <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3041 VPB Prosecutor Notification Log
3042 Facility Notes 1

Wayne Beckham

3043 Parole Board Member Summary 2
3044 *Id.*
3045 *Id.* at 3, 7
3046 *Id.* at 3
3047 *Id.*
3048 *Id.*
3049 *Id.*
3050 *Id.*
3051 CORIS Disciplinary Offense Module
3052 Parole Board Member Summary 2
3053 *See generally* Parole Board Member Summary; CORIS Parole Board Module → All Interviews/Hearings
3054 Parole Board Member Summary 5
3055 *Id.*
3056 *Id.* at 3
3057 *Id.* at 5
3058 *Id.*
3059 *Id.* at 7
3060 *Id.*
3061 *Id.*
3062 *Id.*
3063 *Id.* at 6
3064 *Id.* at 6
3065 *Id.*
3066 *Id.*
3067 *Id.*
3068 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3069 Parole Board Member Summary 6
3070 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3071 VPB Prosecutor Notification Log
3072 Facility Notes 1

Wesley Palmer

3073 Parole Board Member Summary 2
3074 *Id.*
3075 *Id.*
3076 *Id.*

3077 *Id.* at 3
3078 *Id.*
3079 *Id.*
3080 *Id.*
3081 *Id.* at 4
3082 *Id.*
3083 *Id.*
3084 *Id.*
3085 *Id.*
3086 *Id.*
3087 *Id.*
3088 *Id.*
3089 *Id.*
3090 *Id.*
3091 *Id.*
3092 *Id.*
3093 *Id.*
3094 *Id.*
3095 *Id.*
3096 *Id.*
3097 *Id.*
3098 *Id.*
3099 *Id.*
3100 CORIS Disciplinary Offense Module
3101 Parole Board Member Summary 5
3102 *Id.*
3103 *Id.*
3104 *Id.* at 6
3105 CORIS Parole Board Module → All Decisions
3106 *Id.*
3107 *Id.*
3108 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3109 Parole Board Member Summary 5–6
3110 *Id.*
3111 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3112 VPB Prosecutor Notification Log
3113 Facility Notes 1

William Barrett

3114 Parole Board Member Summary 2–3
3115 *Id.* at 3
3116 *Id.*
3117 *Id.*
3118 *Id.*
3119 *Id.* at 2
3120 *Id.* at 3
3121 *Id.*
3122 *Id.* at 2
3123 *Id.* at 3
3124 *Id.* at 5
3125 *Id.* at 4
3126 CORIS Disciplinary Offense Module
3127 Parole Board Member Summary 3
3128 *Id.*
3129 *Id.* at 6
3130 *Id.*

3131 *Id.* at 8
3132 *Id.* at 7
3133 *Id.*
3134 *Id.*
3135 *Id.*
3136 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3137 Parole Board Member Summary 8
3138 *Id.* at 7
3139 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3140 VPB Prosecutor Notification Log
3141 Facility Notes 1

William Holmes

3142 Parole Board Member Summary 1
3143 *Id.* at 2
3144 *Id.* at 1
3145 *Id.*
3146 *Id.* at 2
3147 *Id.* at 3
3148 *Id.* at 4
3149 *Id.*
3150 *Id.*
3151 *Id.*
3152 CORIS Disciplinary Offense Module
3153 *Id.*
3154 *Id.*
3155 Parole Board Member Summary 2
3156 *Id.*
3157 *Id.* at 6
3158 *Id.*
3159 *Id.* at 7
3160 *Id.*
3161 *Id.* at 6
3162 *Id.*
3163 *Id.*
3164 *Id.*
3165 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3166 Parole Board Member Summary 7
3167 VPB Prosecutor Notification Log
3168 Facility Notes 1
3169 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

William Whitaker

3170 Parole Board Member Summary 2
3171 *Id.*
3172 2015 Parole Examiner Interview Summary
3173 2015 Parole Examiner Interview Summary
3174 Parole Board Member Summary 2
3175 *Id.*
3176 *Id.*
3177 *Id.*
3178 *Id.* at 4

3179 *Id.*
3180 *Id.*
3181 *Id.*
3182 *Id.*
3183 *Id.* at 3
3184 CORIS Disciplinary Offense Module
3185 Letter from Adrienne Bennett to William Whitaker, May 11, 2019
3186 Parole Board Member Summary 5, Parole Progress Report of November 13, 2019
3187 Parole Board Member Summary 5–6
3188 *Id.* at 5
3189 *Id.*
3190 *Id.*
3191 *Id.*
3192 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3193 Parole Board Member Summary 5
3194 CORIS Victim Module
3195 Parole Board Member Summary 8
3196 *Id.*
3197 *Id.* at 5
3198 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3199 Parole Board Member Summary 5
3200 VPB Prosecutor Notification Log
3201 Facility Notes 1
3202 Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and
Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant.
Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked
and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an
opportunity to provide input prior to release.”

Yves King

3203 Parole Board Member Summary 1
3204 *Id.*
3205 *Id.* at 2
3206 *Id.* at 3
3207 *Id.*
3208 *Id.*
3209 *Id.*
3210 *Id.*
3211 *Id.*
3212 *Id.*
3213 *Id.*
3214 CORIS Disciplinary Offense Module
3215 Parole Board Member Summary 2
3216 CORIS Parole Board Module → All Interviews/Hearings
3217 Parole Board Member Summary 4
3218 *Id.* at 3
3219 *Id.*
3220 *Id.* at 6
3221 *Id.* at 6–7
3222 *Id.* at 6
3223 *Id.*
3224 <https://vpb.virginia.gov/files/1170/vpb-decisions-mar20.pdf>
3225 Parole Board Member Summary 6
3226 VPB Prosecutor Notification Log
3227 Facility Notes 1



REPORT OF INVESTIGATION VIRGINIA PAROLE BOARD

APPENDIX 2 TO SECTION III

Appendix 2 to Section III

April 2020 Discretionary Parole and Geriatric Conditional Release Grant Decisions

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I. Methodology of Report Appendices 1 and 2

Appendices 1 and 2 to Report Section III contain detailed factual descriptions of VPB's case files on all offenders granted discretionary parole or geriatric conditional release in March and April 2020.

A. Records and Information Considered

1. VADOC CORIS System

CORIS is the offender management system used by VADOC across the Commonwealth, containing data on every past and current inmate, probationer, and parolee. The available data covers a full spectrum, from pre-sentence investigation reports, to prison progress reports, to post-release parole supervision notes. CORIS also includes a "Parole Board" module, which contains all electronic data available to VPB's voting members. Interviews confirmed that VPB members voted on parole cases almost exclusively based on information contained in the CORIS "Parole Board" module. As a result, we relied heavily on CORIS and the "Parole Board" module when reviewing VPB's parole decisions.

The "Parole Board Member Summary" is essential to each VPB member's vote on a parole case. It aggregates multiple sources of information from CORIS and packages them into a single report for members to consider. According to VPB's chief administrator, the "Parole Board Member Summary" is the document that VPB members "review most heavily when they're making decisions" because "it's got all the Parole Board knows" about an offender. An average "Parole Board Member Summary" ranges from 8 to 15 pages. It includes information such as the offender's specific convictions and sentences, the facts of the convicted offenses, the offender's institutional adjustment, the parole examiner's comments and recommendation, and a record of VPB members' votes.

Consistent with general public safety expectations, unless otherwise specified, this report assumes that paroled offenders were of good behavior while incarcerated and completed necessary institutional programming designed to help them transition back into society.

2. VPB Emails

With the assistance of VADOC information technology personnel, we received and reviewed thousands of emails sent and received by VPB staff. The emails occupy an approximate file size of 27 gigabytes. Some emails are reproduced in this report to provide context on individual parole cases or policy decisions.

We accessed the entire email history of certain VPB employees to examine how they transacted VPB's business. An example of one such review was VPB's former Victim Input Coordinator, Lisa Bowen. Our review of the mailboxes of VPB victim input staff enabled conclusions to be drawn about whether VPB's victim contact efforts complied with the law.

We also attempted to obtain the entire email history of former VPB Chair Bennett. However, despite the best efforts of VADOC information technology personnel, former Chair Bennett's Commonwealth of Virginia email account had been deleted, as had the email history of former Chair Tonya Chapman. VADOC information technology personnel eventually accessed the "raw data" in Chairs Bennett and Chapman's email inboxes. Unlike the full, sequential email access available for non-leadership VPB employees, VADOC was only able to provide access to

former Chair Bennett's emails in response to keyword-specific requests. We were unable to identify the reason why the email accounts for Chairs Bennett and Chapman were deleted.

3. Witness Interviews

With assistance from senior Virginia State Police Special Agents, we conducted 41 interviews of 38 witnesses. The witnesses included Judge Adrienne Bennett, Judge Linda Bryant, former VPB members¹ Sherman Lea and Kemba Smith Pradia, former VPB Vice-Chair Jean Cunningham, former VPB Vice-Chair Lethia Hammond, former Secretary of Public Safety and Homeland Security Brian Moran, former VPB Chairs William Muse and Karen Brown, multiple senior VADOC staff, and multiple current and former VPB employees. Relevant facts derived from witness interviews will be included.

B. Appendix Format

Each release decision examined in Appendices 1 and 2 follows the same general format:

Sentencing Information

Identifies each offender's parole-eligible crimes of conviction, including the jurisdiction, the date(s) the sentence was imposed, and the total parole-eligible sentence.

Facts of Parole-Eligible Offenses

Describes the facts of each offender's parole-eligible offenses as proven in open court by the Commonwealth of Virginia. This section may include post-1995 crimes committed by offenders who later became eligible for geriatric conditional release. Detailed factual descriptions are available in most reviewed cases.

Prior Criminal History and Institutional Discipline

Describes the offender's criminal record before being incarcerated on the parole- or geriatric release-eligible offenses described in the "Sentencing Information" section. Additionally provides the offender's institutional disciplinary record.

Parole Examiner Interview and Recommendation

Describes relevant information gathered by the parole examiner when interviewing the offender. VPB generally requires its parole examiners to have prior experience as a Chief or Deputy Chief Probation and Parole Officer.

When available, this section includes the offender's COMPAS recidivism assessment score. COMPAS (Correctional Offender Management Profile for Alternative Sanctions) is a data-driven risk management instrument used by criminal justice and correctional agencies across the United States. The COMPAS instrument "was developed empirically with a focus on predictors known to affect recidivism. It includes dynamic risk factors, and it provides information on a variety of well validated risk and need factors designed to aid in correctional intervention to decrease the likelihood that offenders will reoffend."² Based on detailed historical and environmental information obtained from offenders, COMPAS assigns offenders a risk level of "low," "medium," "medium with override consideration," and "high."

Parole Board Deliberations and Victim and Prosecutor Contact

The information presented in this section is generally listed chronologically. Describes support input registered by an offender's supporters and family. Also describes all victim input efforts by VPB, which may result in opposition or support input. Contains the full record of votes cast by VPB members in favor or against release. Also describes file notes made by VPB members and staff over the years that are relevant to the decision whether to release an offender. Provides specific dates on which VPB mailed prosecutor notifications.

Violations of Law

Renders a conclusion about whether VPB's actions in each case complied with applicable law and policy. We do not express an opinion on whether the reviewed offenders were appropriate candidates for release.

Victim Contact Violations

Va. Code § 53.1-155(B), the "victim contact" statute, states that "The Board shall endeavor diligently to contact the victim prior to making any decision to release any inmate on discretionary parole." Under VPB Administrative Procedure 1.225, "Family members of victims of violent crimes and the parents of a minor child who is a victim are also included in this definition."

There are two operative parts of the victim contact statute: the "prior to making any decision" mandate, and the "endeavor diligently" mandate.

1. "Prior to making any decision" unambiguously requires VPB to "endeavor diligently" to contact the victim before any VPB member casts any individual vote to release an offender on discretionary parole. It does not merely refer to VPB's final decision to certify a parole release; had the General Assembly intended for this to be the case, it would have used the language "prior to making the final decision to certify a parole release."
2. "Endeavor diligently" is not defined in Virginia law, and a "diligent endeavor" to contact the victim may vary depending on the case. VPB uses multiple databases and engages local authorities when attempting to contact victims.

Throughout this appendix, we deem cases in which any VPB member voted to release an offender on discretionary parole without VPB having "endeavored diligently" to contact the victim as violations of § 53.1-155(B). Cases in which VPB showed *some* effort to contact the victim before voting began are deemed to be compliant with the law.

Prosecutor Notification Violations

Va. Code § 53.1-136(3)(c), the "prosecutor notification" statute,³ states that VPB must "Notify by certified mail at least 21 business days prior to release on discretionary parole of any inmate convicted of a felony and sentenced to a term of 10 or more years, the attorney for the Commonwealth in the jurisdiction where the inmate was sentenced."

Throughout this appendix, we deem cases in which VPB mailed a prosecutor notification with 22 business days or more remaining before an offender's release as compliant with the statute. Any notification that was mailed with 21 or fewer business days remaining until the offender's

release is deemed to violate the statute.

Adjustment to Supervision

Subsequent parole violations or new convictions are described in this section.

C. April 2020 Release Decisions

EXPLICIT CONTENT ADVISORY

The following contains graphic factual descriptions of criminal offenses as proven in open court.

Reader discretion is advised.

Release of Adrian Judd

A. Sentencing Information

The following list outlines Adrian Judd's parole-eligible convictions:

1. Parole Violation, Parole Board, 13 years 9 months 11 days, 5/3/2012
2. Manufacture/Distribute Schedule I/II Drug—2nd Offense, Norfolk Circuit, 13 years with 3 years suspended, 11/18/2011
3. Possess Marijuana, Norfolk Circuit, 30 days all suspended, 11/18/2011
4. Obstruction, Norfolk Circuit, 12 months all suspended, 11/18/2011
5. Resisting Arrest, Norfolk Circuit, 12 months, 8/2/2011
6. Petit Larceny, Petersburg Circuit, 12 months, 1/30/1991
7. Malicious Wounding, Petersburg Circuit, 20 years w/ 5 years suspended, 1/30/1991
8. Possess Cocaine, Petersburg Circuit, 12 years w/ 6 years suspended, 1/30/1991
9. Possess Cocaine, Petersburg Circuit, 3 years all suspended, 1/30/1991
10. Robbery, Petersburg Circuit, 15 years w/ 5 years suspended, 1/30/1991⁴

B. Facts of Parole-Eligible Offenses

On November 12, 2008, Norfolk Police received a phone call identifying a man selling narcotics out of a distinctly marked vehicle. Officers located the vehicle and saw Judd enter the driver's side with a key; as police approached, Judd got out of the car, walked away, and dropped a plastic bag of marijuana from his right hand to the ground.⁵ Judd was advised that he was under arrest but resisted, leading to a brief struggle.⁶ A narcotics dog alerted on the odor of illegal drugs coming from Judd's vehicle, and a search yielded 30 capsules of heroin and \$258.⁷ Police recovered additional indicia of heroin distribution at Judd's home, including additional capsules of heroin, a bag of powdered raw heroin, cutting agents, a coffee grinder with heroin residue, plastic baggies containing empty capsules, strainers with heroin residue, digital scales, and \$892.⁸

In a separate transaction on January 3, 1990, Judd sold an undercover police officer narcotics approximately 500 feet away from Petersburg Middle School.⁹

On November 10, 1989, a male victim gave Judd and another man a ride.¹⁰ After being dropped off, Judd stabbed the male victim several times until he fell to the ground.¹¹ Judd puncturing the victim's lung, which required a 3-week hospital stay.¹² Judd stole the victim's car after the stabbing.¹³

C. Prior Criminal History and Institutional Discipline

Judd's criminal history includes convictions for assault, possession of cocaine, possession

of drug paraphernalia, and contempt of court.¹⁴ Judd was sanctioned in lieu of a parole violation in 2009 after absconding from supervision.¹⁵ His parole was later revoked in 2012 for a new conviction in Norfolk.¹⁶ Judd committed 44 institutional infractions while incarcerated.¹⁷

D. Parole Examiner Interview and Recommendation

In an interview on February 25, 2020 at Deerfield Correctional Center, Judd noted that “in 1989 he was young, in the streets, living a bad lifestyle and felt he had to take care of himself.”¹⁸ After being paroled in 2007, Judd stated that his fiancé “pushed him to crime and streets to pay the bills, so he did what he thought he had to do to pay the bills.”¹⁹ The parole examiner recommended against releasing Judd.²⁰

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Judd’s case between March 6, 2020 and March 31, 2020.²¹ Member A. Lincoln James voted against releasing Judd on March 6, 2020; member Sherman Lea voted against releasing Judd on March 25, 2020; Chair Adrienne Bennett voted to grant Judd discretionary parole on March 28, 2020; member Linda Bryant voted to grant Judd parole on March 29, 2020; member Kemba Pradia voted to grant Judd parole on March 31, 2020.²²

VPB records contain no indication of victim research or contact efforts in Judd’s case.²³

VPB records list “03/31/2020” as the official parole decision date.²⁴ The decision to grant Judd discretionary parole was certified on “04/10/2020.”²⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk and Petersburg Commonwealth’s Attorneys on April 10, 2020; VPB received a return receipt on April 16, 2020 from Norfolk and April 17, 2020 from Petersburg.²⁶ Judd was released from Deerfield Correctional Center on June 1, 2020.²⁷

F. Violations of Law

VPB’s decision to grant Adrian Judd discretionary parole violated Va. Code § 53.1-155(B), because the Board failed to “endeavor diligently” to contact the victims of Judd’s crimes before casting all the necessary votes to grant him discretionary parole.

Release of Anthony Talley

A. Sentencing Information

The following list outlines Anthony Talley’s parole-eligible convictions:

1. Weapon Offense, Richmond City Circuit, 4 years, 10/23/1986
2. First-degree murder, Richmond City Circuit, life in prison, 10/23/1986
3. Capital murder, Richmond City Circuit, life in prison, 10/23/1986
4. Weapon Offense, Richmond City Circuit, 2 years, 10/23/1986
5. Burglary, Richmond City Circuit, life in prison, 10/23/1986
6. First-degree murder, Richmond City Circuit, life in prison, 10/23/1986
7. Weapon Offense, Richmond City Circuit, 4 years, 10/23/1986
8. Weapon Offense, Richmond City Circuit, 4 years, 10/23/1986
9. Robbery, Richmond City Circuit, life in prison, 10/23/1986²⁸

B. Facts of Parole-Eligible Offenses

“The offense occurred on November 5, 1985, beginning at the home of [REDACTED] and [REDACTED] located at [REDACTED] in Richmond, Virginia. The couple was found by their daughter, [REDACTED]. Mr. [REDACTED] was found face down in the hallway and Mrs. [REDACTED] was located on her left side in a front room of the house.”²⁹ Mr. [REDACTED] was “shot three (3) times in the head area and one (1) time in the thigh. Mrs. [REDACTED] was shot one (1) time in the right upper back and once in the right posterior neck.”³⁰

“Mrs. [REDACTED] resided at [REDACTED], Richmond, Virginia. She was found by [REDACTED], her grandson, who resided at the same address. Mr. [REDACTED] reported to the police that he returned to his home at approximately 3:40 a.m. on November 6, 1985. When he entered, the storm door, which was usually locked, was unlocked. The main door was closed, but unlocked.”³¹ Mrs. [REDACTED] was found deceased sitting in a chair in the corner of the bedroom.³² “Missing from the residence was some jewelry and some money (coins). Mr. [REDACTED]’ bedroom had also been ransacked. The Medical Examiner’s Report stated that Mrs. [REDACTED] was found fully dressed, in her bedroom, sitting in a chair. The cause of death was noted as multiple gunshot wounds (listed as follows): 1. Right forehead 2. Right upper chest 3. Right chest 4. Left upper chest 5. Top of left shoulder 6. Right lower lip 7. Right forearm 8. Left deltoid.”³³

The victims were 74, 65, and 60 years old.³⁴ Talley was arrested in front of his residence and found to possess a pistol that forensic testing confirmed to match bullets recovered from the bodies of all three deceased victims.³⁵

C. Prior Criminal History and Institutional Discipline

Talley’s criminal history “reflects his first juvenile adjudication occurred at age 10. He had adjudications for two crimes against person, one property crime, and one marked other. He was on probation and was a state ward.”³⁶ While in prison, Talley’s “record reflects 2 infractions in 2017, 2 in 2016, and a total of 48 infractions.”³⁷

D. Parole Examiner Interview and Recommendation

In an interview on February 20, 2020 at the Buckingham Correctional Center, Talley stated that he had just turned 17 when these offenses occurred and that “[h]e has run that day through his mind many times.”³⁸ The parole examiner noted that “it bothers him to be asked about 11/5/85 and notes the only way he can explain it is he indulged in some drugs, had a few drinks and was a follower.”³⁹ Talley further explained that “[t]hings just took off from there, they needed some more money to have fun, continue doing drugs, getting high and riding around.”⁴⁰

The examiner concluded that “[p]arole is not recommended [due] to the serious, violent nature & circumstances of the crimes; substance abuse history, history of violence.”⁴¹ The examiner noted that “[a]ge at the time of instant offenses does not mitigate the seriousness and violence in a triple murder.”⁴²

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Talley’s case between March 26, 2020 and April 6, 2020. Member A. Lincoln James voted against releasing Talley on March 26, 2020; member Sherman Lea voted against releasing Talley on March 27, 2020; Chair Adrienne Bennett voted to grant Talley discretionary parole on March 28, 2020; member Kemba Pradia voted to release Talley on March

31, 2020; member Linda Bryant voted to release Talley on March 31, 2020. On April 6, 2020, member A. Lincoln James reversed his decision and cast the final necessary vote to release Talley.

VPB records show no specific notes related to victim research or contact. However, on February 19, 2020 a grandson of one of the victims “called in and sent an email saying the victim’s family does not want [Talley] released, and please have him serve his entire term.”⁴³ In a note on March 28, 2020, Chair Bennett wrote that “it appears that victim research is complete.”⁴⁴ Chair Bennett also noted that, in relation to Talley’s parole, “Talley appears to have good community support. If not released now, when?”⁴⁵

Board records list “04/6/2020” as the official parole decision date.⁴⁶ The decision to grant Talley discretionary parole was certified on “04/10/2020.”⁴⁷ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond City Commonwealth’s Attorney on April 10, 2020; notes indicate that the VPB received a signed return receipt on April 17, 2020.⁴⁸ Talley was released from Buckingham Correctional Center on May 20, 2020.⁴⁹

F. Violations of Law

VPB’s decision to release Anthony Talley on discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the family members of each of Talley’s three murder victims before casting all the necessary votes to release Talley.

Release of Antoine Richardson

A. Sentencing Information

The following list outlines Antoine Richardson’s parole-eligible convictions:

1. Eluding Police, Henrico GDC, 6 months w/ 3 months suspended, 1/26/2010
2. False Report to Law Enforcement, Henrico GDC, 6 months w/ 4 months suspended, 1/26/2010
3. Use of Firearm in Felony, Henrico Circuit, 4 years, 7/3/1990
4. Use of Firearm in Felony, Henrico Circuit, 4 years, 7/3/1990
5. Robbery, Henrico Circuit, 10 years, 7/3/1990
6. Robbery, Henrico Circuit, 10 years, 7/3/1990
7. Use of Firearm in Felony, Henrico Circuit, 4 years, 7/3/1990
8. Robbery, Henrico Circuit, 10 years, 7/3/1990
9. Use of Firearm in Felony, Henrico Circuit, 4 years, 7/3/1990
10. Robbery, Henrico Circuit, 10 years, 7/3/1990
11. Use of Firearm in Felony, Henrico Circuit, 2 years, 4/17/1990
12. Robbery, Henrico Circuit, 12 years, 4/17/1990
13. Grand Larceny, Henrico Circuit, 10 years, 10/5/1988
14. Failure to Stop, Henrico GDC, 12 months w/ 6 months suspended, 9/8/1988
15. Drive on Suspended/Revoked license, Henrico GDC, 6 months w/ 5 months suspended, 9/8/1988
16. Damage Public Property, Henrico GDC, 12 months w/ 8 months suspended, 9/8/1988
17. Possess Sawed-Off Shotgun, Henrico Circuit, 6 years, 6/23/1988⁵⁰

B. Prior Criminal History and Institutional Discipline

On July 22, 1986, Richardson was convicted in Henrico of breaking and entering and grand larceny and was placed on supervised probation.⁵¹ On October 15, 1986, Richardson was again convicted of breaking and entering and grand larceny and was placed on supervised probation.⁵² On September 4, 1987, Richardson was released from juvenile probation after turning 19.⁵³

Richardson served less than 2 years for his 1988 convictions and was released on discretionary parole in 1989.⁵⁴ He was arrested four months later for robbery and firearms charges, and his parole revoked in 1990 after he was convicted as charged.⁵⁵ After serving 19 years, Richardson was released on discretionary parole a second time in 2009.⁵⁶ Richardson was again arrested 9 months later, and his parole was revoked in 2010 based upon new convictions for eluding police and making a false report to law enforcement.⁵⁷

Richardson committed 65 institutional infractions while incarcerated.⁵⁸

C. Parole Examiner Interview and Recommendation

In an interview on February 10, 2020 at River North Correctional Center, Richardson stated that after serving almost 10 years, “he feels like he does not belong here anymore, he does not fit in here and he enjoyed his time on the streets even though he messed it up.”⁵⁹ The parole examiner recommended against releasing Richardson.⁶⁰

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Richardson’s case between February 28, 2020 and April 9, 2020.⁶¹ Member A. Lincoln James voted against releasing Richardson on February 28, 2020; member Sherman Lea voted against releasing Richardson on March 23, 2020; Chair Adrienne Bennett voted to grant Richardson parole on April 3, 2020; member Kemba Pradia voted to release Richardson on April 6, 2020; member Linda Bryant voted to release Richardson on April 9, 2020.⁶² On April 3, 2020, Chair Bennett entered a note in CORIS indicating that “[n]o victim research [was] necessary.”⁶³

VPB records list “04/09/2020” as the official parole decision date.⁶⁴ The decision to grant Richardson discretionary parole was certified on “04/27/2020.”⁶⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Henrico Commonwealth’s Attorney on April 27, 2020; VPB did not receive a return receipt.⁶⁶ Richardson was released from River North Correctional Center on June 5, 2020.⁶⁷

E. Violations of Law

VPB’s decision to grant Antoine Richardson discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the victims of Richardson’s crimes before casting all the necessary votes to release him.⁶⁸

Release of Antoine Wooten

A. Sentencing Information

The following list outlines Antoine Wooten’s parole-eligible convictions:

1. Parole Violation, 7 years 4 months 27 days, 9/30/2009
2. Arson, Henrico Circuit, 4 years suspended, 4/26/1994

3. Possess Cocaine, Richmond City Circuit, 5 years, 12/2/1993
4. Use Firearm in Felony, Henrico Circuit, 2 years, 11/4/1993
5. Robbery, Henrico Circuit, 20 years w/ 10 years suspended, 11/4/1993
6. Possess Cocaine, Richmond City Circuit, 15 years w/ 10 years suspended, 4/3/1991⁶⁹

B. Facts of Parole-Eligible Offenses

On November 19, 1990, Wooten was observed by police with what appeared to be narcotics in his hands. Wooten was apprehended by the officers and found to possess 40 individually packaged “hits” of crack cocaine in miniature baggies.⁷⁰

On February 11, 1993, Wooten and 3 other males robbed 3 male victims. Wooten was armed with a .38 special, and the men took one victim’s jacket at gunpoint.⁷¹

C. Prior Criminal History and Institutional Discipline

Wooten has juvenile adjudications in 1989 for malicious wounding, grand larceny, aggravated assault, and attempted grand larceny.⁷² He was convicted of possession of cocaine in Richmond City Circuit Court on April 3, 1991.⁷³ He was sentenced to fifteen years with ten years suspended.⁷⁴ Wooten was released on discretionary parole in 1992 and re-arrested in 1993 after committing new felonies. His parole was revoked in 1994.⁷⁵ On December 2, 1993, Wooten was sentenced to 5 years for a probation violation in Richmond Circuit Court.⁷⁶ While incarcerated, Wooten was convicted on April 26, 1994 in Henrico Circuit Court of arson for setting a fire in jail and sentenced to four years suspended.⁷⁷

Wooten was released on mandatory parole on May 16, 2005.⁷⁸ While on parole, he was convicted in U.S. District Court of conspiracy to distribute narcotics, receiving a 262-month sentence.⁷⁹ Wooten’s Virginia parole was revoked on September 30, 2008.⁸⁰ He served approximately thirteen years in federal prison and was released to Virginia custody on September 29, 2018.⁸¹ Wooten committed 24 institutional infractions while incarcerated in Virginia.⁸²

D. Parole Examiner Interview and Recommendation

The parole examiner noted that Wooten “was interviewed for parole on December 20, 2018 and subsequently placed in Granted status in June of 2019 conditioned upon completing a reentry program.”⁸³ The examiner recommended that Wooten be released.⁸⁴

However, during the re-entry process, Wooten was “convicted of a 122A/198A ‘Conspiracy to or Making Plans to Bring in a Controlled Substance’ for “orchestrating delivery of K2 (Spice).”⁸⁵ This led VPB to rescind Wooten’s parole grant. Another parole examiner interviewed Wooten to determine whether parole should be rescinded. The examiner wrote that

[i]t is recommended that his previous[] parole grant decision be rescinded. In 2019, while being considered and later granted parole, he incurred four infractions. Two of those infractions were related to drug involvement. The infraction that led to initiating the rescission hearing was as a result, according to the investigation, of the subject attempting to have K2 Spice introduced to the institution. Although he denies this allegation, the disciplinary offense reports state that there was corroboration of the allegation. This is a serious infraction and indicates, although

the subject states he has changed his life, he continues to involve himself in criminal activity. Wooten did want the Parole Board to know that the infraction remains on appeal and hopes the Parole Board would determine the final outcome before making a decision.⁸⁶

E. Parole Board Deliberations and Victim Contact

VPB initially voted to grant Wooten parole on May 13, 2019.⁸⁷ VPB received information on November 23, 2019 that Wooten had been charged during re-entry programming with “Conspiracy to or Make Plans to Bring in a Controlled Substance.”⁸⁸ As the result of this infraction, VPB conducted a rescission hearing on March 5, 2020.⁸⁹

VPB voted on whether to rescind Wooten’s parole between March 26, 2020 and April 6, 2020.⁹⁰ Member Linda Bryant voted against releasing Wooten on March 26, 2020; Chair Adrienne Bennett voted against releasing Wooten on March 29, 2020; member Sherman Lea voted to release Wooten on March 29, 2020; member Kemba Pradia voted to release Wooten on April 2, 2020; member A. Lincoln James voted to release Wooten on April 6, 2020.⁹¹

On April 12, 2019, Chair Bennett entered a note in CORIS stating, “[n]o victim research required as [Wooten] is back on a violation.”⁹² On May 24, 2019, the Victim Input Coordinator entered a CORIS note stating “VICTIM RESEARCH – Per Chair Adrienne (sic) Bennett’s note 04/12/2019 no victim research needed. Offender was returned to custody on a violation.”⁹³

VPB records list “04/06/2020” as the official parole decision date.⁹⁴ The decision to grant Wooten discretionary parole was certified on “04/10/2020.”⁹⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Henrico Commonwealth’s Attorney on April 10, 2020; notes indicate that the VPB received a return receipt on April 17, 2020.⁹⁶ Wooten was released from Pocahontas State Correctional Center on April 21, 2020.⁹⁷

F. Violations of Law

VPB’s decision to grant Antoine Wooten discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the victims of Wooten’s crimes before casting all the necessary votes to grant him discretionary parole.⁹⁸

VPB also violated Va. Code § 53.1-136(3)(c) by failing to notify the Henrico Commonwealth’s Attorney at least 21 business days prior to Wooten’s release from custody.

G. Adjustment to Supervision

On June 14, 2022, Wooten tested positive for cocaine in violation of Condition 8 of the terms and conditions of his release.⁹⁹ Wooten’s discretionary parole was revoked on August 15, 2022.¹⁰⁰ Wooten remains incarcerated at the time of this report.¹⁰¹

Release of Archer Malone III

A. Sentencing Information

On August 23, 2016, Archer Malone was convicted of burglary in Henrico Circuit Court. He was sentenced to 5 years in prison, all suspended on the condition of completing the Youthful Offender program and supervised probation.¹⁰²

B. Facts of Parole-Eligible Offenses

On June 30, 2015, police responded to a reported residential burglary and observed a broken window pane and cut screen door on the left side of the building, broken glass and items thrown throughout the rear yard, the rear kitchen window screen cut and window open, and a broken glass pane on the rear door.¹⁰³ Missing from the residence were two PlayStations, three firearms, a Samsung television, and approximately \$50,000 in assorted jewelry. The victim's 2002 Honda Accord was also stolen from the driveway.¹⁰⁴

Malone's codefendant confessed to the burglary and implicated Malone.¹⁰⁵ Detectives obtained a search warrant for Malone's fingerprints and matched one of the latent prints on the outside window.¹⁰⁶ Cell phone records showed that Malone was in the area of the burglary when it occurred.¹⁰⁷ Malone confessed to the burglary during an interview.¹⁰⁸

C. Prior Criminal History and Institutional Discipline

Prior to the burglary conviction, Malone's juvenile record consisted solely of criminal traffic offenses.¹⁰⁹ While in custody on October 7, 2018, Malone was cited for "Failing to Follow Written Rules/Regulations."¹¹⁰

D. Parole Examiner Interview and Recommendation

In an interview on February 20, 2019 at the Indian Creek Correctional Center, Malone indicated that "[t]he arrest actually helped me as I probably would have gotten involved in something else afterwards. I feel embarrassed and ashamed."¹¹¹

VPB voted to grant Malone discretionary parole on April 22, 2019.¹¹² However, Malone received "new institutional infractions which prompted the Board to initiate a rescission hearing (scheduled for December 3, 2019)."¹¹³ The basis of the rescission hearing was "for vulgar or insolent language towards an employee" as well as "a pending investigation for possession of unauthorized or un-prescribed drugs."¹¹⁴

Prior to the drug possession infraction and subsequent rescission hearing, a parole examiner noted that "Malone is in Phase 4 (Re-Entry) of the Therapeutic Community process. His recent unresolved infraction is not significant enough to hold against him given his overall positive adjustment in the Youthful Offender program. It is, therefore, recommended that discretionary release for Malone be granted contingent upon his completion of re-entry programming."¹¹⁵

Following the rescission hearing, a parole examiner wrote that "Malone's behavior on 10-30-19 could have escalated beyond that which was seen if it were not for timely intervention. He struggled greatly in speaking with this Examiner to understand how his actions over the past several months can have adverse impact on himself and others."¹¹⁶ The examiner concluded that "[f]or the integrity of the Youthful Offender Program, Malone should not be allowed to exit the program in the manner that he is going about it. This Examiner is optimistic, however, that Malone can rebound and finish out on a positive note by his [maximum parole release date], if not before. If the Board is inclined to agree with this recommendation, then imposition of an Anger Management class should be considered . . ."¹¹⁷

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB initially voted on Malone's case between February 23, 2019 and April 22, 2019.¹¹⁸

Member Linda Bryant voted to release Malone on discretionary parole on February 23, 2019; Chair Adrienne Bennett voted to release Malone on April 12, 2019; Vice-Chair Jean Cunningham voted to release Malone on April 22, 2019.¹¹⁹

After the rescission hearing, VPB voted on Malone’s case between March 16, 2020 and April 1, 2020.¹²⁰ Chair Adrienne Bennett voted against releasing Malone on March 16, 2020; member Linda Bryant voted to release Malone on March 26, 2020; member A. Lincoln James voted against releasing Malone on March 30, 2020; member Kemba Pradia voted to release Malone on March 31, 2020; member Sherman Lea voted to release Malone on April 1, 2020.¹²¹

The following notes were entered into CORIS representing victim research efforts in Malone’s case:¹²²

Lisa Bowen	04/25/2019	Parole Board Note	VICTIM RESEARCH COMPLETE - No response received from victim notification letters mailed to victims. No further research is necessary. Ready to certify.
Lisa Bowen	03/05/2019	Parole Board Note	VICTIM RESEARCH AND NOTIFICATION - Per the Chair's request victim notification letters were mailed to the three victims of offenses that took place on July 13, 2016 with a response deadline of March 20, 2019.
Lisa Bowen	02/19/2019	Parole Board Note	VICTIM RESEARCH - No victims registered in VINE/CORIS. The PSI contains name and contact information for robbery victims. No contact has been made with victims.

VPB records list “04/01/2020” as the official parole decision date.¹²³ The decision to grant Malone discretionary parole was certified on “04/10/2020.”¹²⁴ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Henrico Commonwealth’s Attorney on April 10, 2020; VPB received a signed return receipt on April 17, 2020.¹²⁵ Malone was released from State Farm Correctional Center on April 21, 2020.¹²⁶

F. Violations of Law

VPB’s decision to grant Archer Malone discretionary parole violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Henrico Commonwealth’s Attorney of its decision to grant Malone parole at least 21 business days prior to Malone’s release from custody.

Release of Benny Savage

A. Sentencing Information

The following list outlines Benny Savage’s geriatric conditional release-eligible convictions:

1. Possess Cocaine, Suffolk Circuit, 4 years, 9/15/2005
2. Larceny, Suffolk Circuit, 4 years, 9/15/2005
3. Petit Larceny 3rd/Subsequent, Suffolk Circuit, 4 years, 9/15/2005
4. Petit Larceny 3rd/Subsequent, Suffolk Circuit, 3 years, 9/15/2005
5. Larceny, Suffolk Circuit, 5 years w/ 2 years 6 months suspended, 9/15/2005
6. Burglary, Suffolk Circuit, 3 years, 10/15/1999
7. Petit Larceny 3rd/Subsequent, Suffolk Circuit, 4 years all suspended, 10/15/1999
8. Petit Larceny 3rd/Subsequent, Suffolk Circuit, 3 years all suspended, 10/15/1999
9. Larceny, Suffolk Circuit, 5 years w/ 4 years suspended, 9/9/1999
10. Possess Cocaine, Suffolk Circuit, 5 years w/ 4 years suspended, 9/9/1999
11. Parole Violation, Parole Board, 10 years 4 months 8 days, 5/5/1999
12. Petit Larceny 3rd/Subsequent, Suffolk Circuit, 3 years all suspended, 2/27/1997
13. Petit Larceny 3rd/Subsequent, Suffolk Circuit, 4 years all suspended, 2/27/1997

14. Burglary, Suffolk Circuit, 3 years all suspended, 2/27/1997
15. Burglary, Suffolk Circuit, 5 years w/ 3 years suspended, 2/21/1991
16. Petit Larceny 3rd/Subsequent, Suffolk Circuit, 5 years w/ 3 years suspended, 9/24/1990
17. Petit Larceny 3rd/Subsequent, Suffolk Circuit, 5 years w/ 4 years suspended, 9/24/1990
18. Burglary, Suffolk Circuit, 20 years w/ 5 years suspended, 11/5/1982
19. Trespassing, Suffolk GDC, 30 days, 5/12/1982
20. Trespassing, Suffolk GDC, 6 months all suspended, 4/7/1982
21. Assault, Suffolk GDC, 30 days all suspended, 3/17/1982
22. Burglary, Suffolk Circuit, 5 years, 5/13/1980
23. Grand Larceny, Suffolk Circuit, 5 years, 5/13/1980
24. Uttering, Suffolk Circuit, 3 years, 5/13/1980
25. Forgery, Suffolk Circuit, 3 years, 5/13/1980
26. Grand Larceny, Suffolk Circuit, 3 years, 5/13/1980¹²⁷

B. Prior Criminal History and Institutional Discipline

Savage had juvenile convictions for concealment and assault & battery.¹²⁸ A parole examiner noted that Savage “has an extensive criminal record dating to 1978 and his first known criminal conviction as an adult. He has yet to successfully complete a period of supervised probation. He has been a State inmate on several occasions and has been released on parole from the Virginia Department of Corrections on five separate occasions.”¹²⁹ The examiner further observed that Savage’s “parole has been revoked on three occasions. A fourth time, sanctions were imposed at the preliminary parole violation hearing in lieu of parole revocation.”¹³⁰

Savage committed 11 institutional infractions while incarcerated.¹³¹

C. Parole Examiner Interview and Recommendation

In an interview on October 10, 2019 at the St. Brides Correctional Center, Savage stated that the “last charge cost me my family members [] and it cost me in terms of years. I’ve got to get my own life right.”¹³² The parole examiner observed that Savage’s COMPAS assessment showed a high risk for violent recidivism.¹³³ The examiner noted that “Savage was granted discretionary parole four (4) out of five (5) times only to bring back a Condition #1 violation four (4) out of five (5) times. Discretionary release is not recommended.”¹³⁴

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Savage’s case on April 9, 2020.¹³⁵ Member Linda Bryant, member Kemba Pradia, and Chair Bennett each voted to grant Savage geriatric conditional release on April 9, 2020.¹³⁶ VPB records show no victim contact attempts during Savage’s 2020 release consideration.

VPB records list “04/09/2020” as the official decision date.¹³⁷ The decision to grant Savage geriatric conditional release was certified on “04/10/2020.”¹³⁸ VPB staff mailed a notification of Savage’s release to an unidentified Commonwealth’s Attorney’s office on April 10, 2020; there is no evidence that the notification was received.¹³⁹ Savage was released from St. Brides Correctional Center on April 28, 2020.¹⁴⁰

E. Violations of Law

No violations found.

F. Adjustment to Supervision

Review of Savage's CORIS Supervision Notes indicates that a records check was completed on August 16, 2020 and Savage had an active warrant for a probation violation out of the Suffolk Circuit Court.¹⁴¹ The warrant was issued as a result of Savage's failure to appear on his probation violation hearing on May 20, 2022.¹⁴² The Major Violation Report for the hearing was completed on April 13, 2022.¹⁴³ At the time of this report, Savage is currently in "absconder" status after having no contact with his probation officer.¹⁴⁴

Release of Cameron Manuel, Jr.

A. Sentencing Information

The following list outlines Cameron Manuel's geriatric conditional release-eligible convictions:

1. Robbery, Virginia Beach Circuit, 15 years, 11/19/2008
2. Credit Card Fraud, Williamsburg/JCC Circuit, 4 years 8 months w/ 4 years 4 months suspended, 7/8/2008
3. Robbery, Virginia Beach Circuit, 20 years, 10/20/1983
4. Robbery, Virginia Beach Circuit, 10 years, 10/20/1983
5. Weapon Offense, Virginia Beach Circuit, 8 years, 10/20/1983
6. Weapon Offense, Virginia Beach Circuit, 4 years, 10/20/1983
7. Robbery, Chesapeake Circuit, 20 years, 8/19/1983
8. Robbery, Chesapeake Circuit, 6 years, 8/19/1983
9. Weapon Offense, Chesapeake Circuit, 2 years, 8/19/1983¹⁴⁵

B. Facts of Geriatric Conditional Release-Eligible Offenses

Between January 25, 2007 and May 7, 2007, Manuel used a credit card number without the cardholder's knowledge or consent. An individual (not the cardholder) called the Family Inn of America on a weekly basis and authorized charges to the credit card. The actual owner of the credit card called police on May 7, 2007 and verified they had not given consent for the charges.¹⁴⁶

On March 6, 2008, Manuel entered a Dollar Tree store in Virginia Beach. He had a black knit cap pulled over his face with holes cut out for the eyes. Manuel approached the female victim and demanded money from her, implying that he had a gun. He took approximately \$245 and left with a Dollar Tree Bag.¹⁴⁷ The victim gave a description of Manuel, and another witness observed Manuel get into his vehicle with a Dollar Tree bag.¹⁴⁸

On April 23, 2008, Manuel entered a Texaco, approached the female victim, stated that this was a robbery, and implied he had a gun. The victim told Manuel she had a bat, and Manuel left without getting any money. The victim gave a description of Manuel to the police, and the clothing Manuel wore during the offense was recovered from a vehicle registered to Manuel.¹⁴⁹

On April 30, 2008, Manuel entered a 7-Eleven, approached two female employees, implied that he had a weapon, and demanded money from both women. \$275 was taken. By this time,

Manuel was a suspect in the previous robberies listed above. A Virginia Beach Police officer responded to Manuel's address, which was very close to the 7-Eleven. The officer observed that Manuel was wearing the same clothes described by the robbery victims.¹⁵⁰ Officers recovered a large amount of cash, as well as gloves and a mask Manuel had worn during the robbery.¹⁵¹ DNA analysis of the gloves and mask showed that Manuel could not be excluded as a contributor.¹⁵²

C. Prior Criminal History and Institutional Discipline

On October 25, 2000, Manuel was convicted of attempting to obtain money by false pretenses in Lawton, Oklahoma.¹⁵³ Manuel was sentenced to 1 year in prison.¹⁵⁴

D. Parole Examiner Interview and Recommendation

In a March 23, 2020 interview at the Greenville Correctional Center, Manuel stated that his "history of criminal activities was due to a steady pattern of drug use."¹⁵⁵ The parole examiner noted that Manuel had made a positive adjustment and recommended that he be released.¹⁵⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Manuel's case on March 30 and 31, 2020.¹⁵⁷ Member A. Lincoln James voted to release Manuel on March 30, 2020; members Sherman Lea and Linda Bryant both voted to release Manuel on March 31, 2020.¹⁵⁸ There are no VPB notes indicating any victim research or contact attempts.¹⁵⁹

VPB records list "03/31/2020" as the official decision date.¹⁶⁰ The decision to grant Manuel geriatric conditional release was certified on "04/10/2020."¹⁶¹ VPB staff mailed a notification of Manuel's release on April 10, 2020 to the Williamsburg and Virginia Beach Commonwealth's Attorney's Offices; notes indicate that the VPB received a return receipt dated April 15, 2020 from Williamsburg and April 16, 2020 from Virginia Beach.¹⁶² Manuel was released from Greenville Correctional Center on June 1, 2020.¹⁶³

F. Violations of Law

No violations found.

Release of Daron Beckham

A. Sentencing Information

On August 24, 1989, Daron Beckham was convicted in Campbell Circuit Court of forgery and sentenced to 2 years in prison.¹⁶⁴ On July 10, 1989, Beckham was convicted in Lynchburg Circuit Court of forgery and sentenced to 60 days in jail.¹⁶⁵ On June 16, 1989, Beckham was convicted of rape and burglary in Lynchburg and sentenced to life in prison plus 10 years.¹⁶⁶

B. Facts of Parole-Eligible Offenses

The facts of Beckham's rape conviction are as follows:

On January 12, 1989 at approximately 11 p.m., the victim in this case, [REDACTED], was alone, asleep in her bed in her apartment at [REDACTED], when she was awakened by a knock on her back door. When Ms. [REDACTED] opened the back door to see who had knocked, she found a young black male standing there and understood him to ask if a man named George lived there.

Ms. [REDACTED] replied that he did not and closed the door and went back to bed. A few minutes later, there was another knock on her rear door, and this time when she opened it, the same young black male and another black male wearing a ski mask forced themselves into her apartment, even though she attempted to close the door and not allow them entry. Both of these men grabbed Ms. [REDACTED] and forced her backwards into her living room and down onto her sofa, where her under panties were ripped off of her and she was raped by the two men. This offense occurred despite the fact that Ms. [REDACTED] began fighting, yelling, and kicking from the moment they forced their way into her apartment, and she continued in this manner even though she was physically overpowered. At one point, while Ms. [REDACTED] was being held down on the sofa and as she continued to scream, the assailant wearing the ski mask and later identified as the defendant in this case, Daron Keith Beckham, took a sock off of Ms. [REDACTED]'s foot and stuffed it in her mouth to keep her quiet. While Mr. Beckham held her, his codefendant, James Clinton Forman,¹⁶⁷ raped Ms. [REDACTED], and after he completed this act, he held her while Mr. Beckham committed the same act. Both of these young men continually talked to Ms. [REDACTED] while committing these acts, telling her that they knew where she worked and had seen her at work previously, and that they knew about her boyfriend, the type of truck that he drove, and the fact that he wasn't there that evening. Upon completing these acts, Ms. [REDACTED] was made to lie on the sofa with her face to the wall so as not to further identify either the defendant or the codefendant, and was told to remain in that position while they exited through the rear door. After these two had left, Ms. [REDACTED] ran to a neighbor's apartment and phoned the police. The ensuing police investigation led to an interview with Mr. Beckham, in which he admitted to his participation in these offenses, and he also identified Mr. Forman as his codefendant.¹⁶⁸

C. Prior Criminal History and Institutional Discipline

In addition to those listed above, Beckham's prior convictions include criminal traffic convictions and probation violations.¹⁶⁹

D. Parole Examiner Interview and Recommendation

In an interview on November 16, 2019 at the Buckingham Correctional Center, Beckham said of his crimes, "I was young, crazy, wild, getting high and drinking every day, just off the charts but I did not see reality or understand the effects of this until I got locked up and straightened out. Since being clean after 2011 I see life totally different today."¹⁷⁰ Beckham further stated that "[d]rugs and staying clean is not a concern for him anymore."¹⁷¹

The parole examiner observed that Beckham committed 59 institutional infractions, with only one since 2004.¹⁷² The examiner recommended against releasing Beckham.¹⁷³

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Beckham's case between February 11, 2020 and March 25, 2020.¹⁷⁴ Member Kemba Pradia voted to release Beckham on discretionary parole on February 11, 2020; member Linda Bryant voted to release Beckham on March 4, 2020; Chair Bennett voted to release Beckham on March 25, 2020.¹⁷⁵

On March 4, 2020, Victim Input Coordinator Lisa Bowen entered a note into CORIS stating “VICTIM RESEARCH - No registered victims in VINE. I believe the rape victim [REDACTED] is deceased as of [REDACTED]. I believe I located her in the database using old address information from the PSI and her age at time of the crime. I have sent this information to Lynchburg V/W to see if they can confirm this information. Offender is co-defendant of Kamani Sun DOC Inmate #1159181.”¹⁷⁶ A note was entered by employee Shirley Smith on May 5, 2020 stating “[b]oth VINE and CORIS were checked for Victim Input information – none was found.”¹⁷⁷

VPB records list “03/25/2020” as the official parole decision date.¹⁷⁸ The decision to grant Beckham discretionary parole was certified on “04/10/2020.”¹⁷⁹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) on April 10, 2020 to the Lynchburg Commonwealth’s Attorney; notes indicate that the VPB received a return receipt dated April 21, 2020.¹⁸⁰ Beckham was released from Buckingham Correctional Center on May 20, 2020.¹⁸¹

F. Violations of Law

No violations found.

G. Adjustment to Supervision

Beckham signed his conditions of discretionary parole on June 11, 2020 which included, among other things, a prohibition against using alcoholic beverages and a prohibition against possessing pornography or other obscene materials.¹⁸² Between June 29, 2021 and July 19, 2021, the parole office learned that Beckham was receiving sexually explicit photographs (including potential child pornography), soliciting prostitution, and consuming alcohol. Beckham’s parole was revoked on October 22, 2021,¹⁸³ and he remains in custody at the time of this report.

Release of David Crawley

A. Sentencing Information

The following list outlines David Crawley’s parole-eligible convictions:

1. Sell Cocaine, Hopewell Circuit, 5 years, 8/21/1991
2. Hurling Missile at Vehicle, Hopewell Circuit, 10 years all suspended, 8/7/1991
3. Robbery, Petersburg Circuit, 25 years w/ 15 years suspended, 8/6/1991
4. Use of Firearm in Commission of Felony, Petersburg Circuit, 4 years, 8/6/1991
5. Possession of Weapon, Prince George Circuit, 5 years, 6/6/1991
6. Robbery, Prince George Circuit, 40 years w/ 20 years suspended, 6/6/1991
7. Use of Firearm in Commission of Felony, Prince George Circuit, 2 years, 6/6/1991
8. Possess Cocaine, Hopewell Circuit, 5 years, 6/5/1991
9. Brandishing Firearm, Prince George GDC, 6 months, 5/1/1991
10. Assault and Battery, Prince George GDC, 6 months, 5/1/1991¹⁸⁴

B. Facts of Parole-Eligible Offenses

On November 21, 1990, an officer with the Hopewell Police Department observed Crawley running toward him carrying a diaper bag. Crawley dropped a container, inside of which were 10 large rock-like substances that tested positive for cocaine. Following his arrest, Crawley stated that he planned to sell the cocaine for a man who lived in Hopewell.¹⁸⁵

On December 18, 1990, Crawley entered a convenience store, walked to the register, and one of the employees saw that he had a sawed-off shotgun. Crawley pointed the gun at the victim.¹⁸⁶ Crawley then demanded money, and another employee pulled the drawer out of the register.¹⁸⁷ Crawley then walked out and said he was glad to see the employees were not willing to die for someone else's money. Crawley was identified by being picked out of a photo lineup.¹⁸⁸

On August 6, 1991, Petersburg Police responded to a 7-Eleven for a report of an armed robbery.¹⁸⁹ Crawley entered the store and pointed a shotgun at a female employee.¹⁹⁰ Crawley stated, "give me the money, I might as well shoot, I'm going away anyway." The victim took the money out of the register and placed it in a bag. Crawley then instructed the victim to take additional money from a second cash register. Crawley left after telling the victim "do not call the police or I'll come back and kill you."¹⁹¹ Police officers responded to a call about the robbery, and they noticed a vehicle with its headlights off and followed the vehicle. The vehicle tried to elude police, but a short time later, the vehicle stopped and Crawley was arrested. A paper bag containing money and a sawed-off shotgun were retrieved from Crawley's vehicle.¹⁹²

C. Prior Criminal History and Institutional Discipline

Crawley's criminal history "includes [a] lengthy juvenile record beginning in 1978 when he was charged with 3 counts of Shoplifting. He had several special placements but finally committed to the Department of Corrections after charges of Curfew and Abuse and Shoplifting. He was later placed on aftercare supervision, had several violations, and was committed a third time."¹⁹³ Crawley "remained under juvenile supervision until he was charged as an adult in October 1986 in Lake Wells, Florida with Carrying a Concealed Weapon. As an adult in Florida his record includes carry concealed weapon, armed robbery, use of firearm, possess marijuana and escape."¹⁹⁴ Crawley committed 100 institutional infractions while incarcerated.¹⁹⁵

D. Parole Examiner Interview and Recommendation

In an interview on November 25, 2019 at Buckingham Correctional Center, Crawley stated that his crimes were "due to [the] environment he grew up in, rough area, grew up on streets, smoking weed, snorting coke; started with pot, then huffing gas and glue, graduated to cocaine around 14."¹⁹⁶ The parole examiner observed that Crawley's COMPAS general recidivism risk was high.¹⁹⁷ Ultimately, the examiner recommended releasing Crawley.¹⁹⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Crawley's case between January 10, 2020 and April 1, 2020.¹⁹⁹ Member A. Lincoln James voted against granting Crawley discretionary parole on January 10, 2020; member Kemba Pradia voted to release Crawley on February 27, 2020, Chair Adrienne Bennett voted against releasing Crawley on February 27, 2020, member Sherman Lea voted to release Crawley on March 23, 2020; on April 1, 2020, member James reversed his decision and voted to release Crawley.²⁰⁰ There is no information in VPB records regarding victim research or contact.²⁰¹

VPB records list "04/01/2020" as the official parole decision date.²⁰² The decision to grant Crawley discretionary parole was certified on "04/10/2020."²⁰³ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Petersburg, Prince George, and Hopewell Commonwealth's Attorneys on April 10, 2020; VPB received a signed return receipt on April 16, 2020 from Hopewell, April 17, 2020 from Petersburg, and April 20, 2020 from Prince George.²⁰⁴ Crawley was released from Buckingham Correctional Center on April 30, 2020.²⁰⁵

F. Violations of Law

VPB's decision to grant David Crawley discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of Crawley's crimes before casting all the necessary votes to release him.

VPB's decision to grant David Crawley parole additionally constituted three violations of Va. Code § 53.1-136(3)(c), because VPB failed to notify the Petersburg, Prince George, and Hopewell Commonwealth's Attorneys' offices at least 21 business days prior to Crawley's release.

Release of Deon Coleman

A. Sentencing Information

On January 27, 1993, Deon Coleman was convicted of murder and use of a firearm in the commission of a felony in the Norfolk Circuit Court, receiving a sentence of life in prison plus 2 years.²⁰⁶ On February 16, 1993, Deon Coleman was convicted of cocaine possession in Norfolk Circuit Court and was sentenced to 5 years in prison.²⁰⁷

B. Facts of Parole-Eligible Offenses

Coleman confronted the, victim, an 18-year-old Old Dominion University student, as he walked down the street with some companions. He led the victim away from his friends and shot him in the head.²⁰⁸ Coleman pled not guilty and was tried by a jury.²⁰⁹

C. Prior Criminal History and Institutional Discipline

Coleman's criminal history began at age 15 and includes convictions for burglary, petit larceny, illegal sale of liquor, failure to appear in court, unlawfully possessing a concealed weapon, possession of cocaine, and brandishing a firearm.²¹⁰ Coleman was infraction-free since 2010.²¹¹ He committed 16 institutional infractions while incarcerated.²¹²

D. Parole Examiner Interview and Recommendation

In an interview on December 20, 2019 at Nottoway Correctional Center, Coleman stated, "I don't know where it happened, I don't know the victim, I don't know the witnesses, I don't know anything about it and I do not think anyone in my neighborhood would have bothered an ODU student."²¹³ Coleman said that "[a]ll he knows is he was arrested one night for getting into a fight, then later they came at him with accusation[s] of murdering an ODU student."²¹⁴

The parole examiner noted that Coleman's COMPAS general recidivism and violent recidivism risk was "medium." However, the examiner recommended that Coleman be released.

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Coleman's case between February 18, 2020 and April 2, 2020.²¹⁵ Member Sherman Lea voted against releasing Coleman on February 18, 2020; member Kemba Pradia voted to release Coleman on discretionary parole on February 18, 2020; member Linda Bryant voted to release Coleman on April 1, 2020; member A. Lincoln James voted to release Coleman on April 2, 2020; Chair Bennett voted to release Coleman on April 2, 2020.²¹⁶

The murder victim's family gave a statement opposing Coleman's release in May 2019.²¹⁷ On June 17, 2019, member Linda Bryant "conducted a telephone appointment with the victim's

parents.²¹⁸ The victim's mother provided an additional statement on June 18, 2019.²¹⁹ On January 22, 2020, member Sherman Lea conducted a telephone Board appointment the victim's parents.²²⁰

VPB records list "04/02/2020" as the official parole decision date.²²¹ The decision to grant Coleman discretionary parole was certified on "04/10/2020."²²² VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk Commonwealth's Attorney on April 10, 2020; a return receipt was dated April 16, 2020.²²³ Coleman was released from Nottoway Correctional Center on May 20, 2020.²²⁴

F. Violations of Law

No violations found.

Release of Donald Brooks

A. Sentencing Information

On September 2, 2010, Donald Brooks was convicted in Amelia Circuit Court of second-degree murder and use of a firearm in the commission of a felony, receiving a 28-year sentence.²²⁵

B. Facts of Geriatric Conditional Release-Eligible Offenses

On April 13, 2010, Brooks and the victim got into an argument inside the B&N Grill in Amelia County.²²⁶ The owner told them to take it outside.²²⁷ Brooks and the victim agreed to go outside and fight.²²⁸ The victim got the better of Brooks, and Brooks said that he was "not just going to let [the victim] kick his ass."²²⁹ Brooks then went to his truck, got his gun, and "emptied his weapon at victim []. He went back to his truck [] and reloaded but did not fire any more rounds."²³⁰ The victim tried to run, but he was struck by gunfire, fell to the ground, and Brooks cut his throat.²³¹ The victim suffered multiple gunshot wounds to his back, abdomen, and left elbow.²³² The victim was taken to the hospital and died as a result of his wounds on May 3, 2010.²³³ During an autopsy, the medical examiner noted that a gunshot to the abdomen perforated the victim's intestines and left kidney and observed lacerations to the victim's throat.²³⁴

C. Prior Criminal History and Institutional Discipline

Brooks' criminal history consists of criminal traffic offenses.²³⁵ He committed two institutional infractions while incarcerated.²³⁶

D. Parole Examiner Interview and Recommendation

In an interview on April 8, 2020 at the State Farm Correctional Center, Brooks "blame[d] the victim, the prosecutor, his court-appointed lawyer, and an 'unnamed black man' who [Brooks] maintains was with the victim the night of the shooting."²³⁷ Brooks further stated that "[t]he prosecutor did all of this" and that "I had over \$3,000 on me in cash, they wanted my money and the Board knows it was all political. I had all this info on the prosecutor, they destroyed my medical records, they blocked my retrial and my court appointed lawyer would not show my evidence, they were out to silence my and protect their own interests."²³⁸

The parole examiner noted that Brooks' "criminal behavior appears to have been more anger, vengeance or retribution, hardly 'self-defense.' Brooks was 68 years old at the time of the crimes, so age can hardly be used as a mitigating factor, be that risk or time served."²³⁹ The examiner recommended that VPB deny Brooks' release.²⁴⁰

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB began voting on Brooks' case the day after the parole examiner recommended against releasing him. Member Linda Bryant voted to grant Brooks geriatric conditional release on April 9, 2020; member Kemba Pradia voted to release Brooks on April 14, 2020; member Sherman Lea voted to release Brooks on April 19, 2020²⁴¹

VPB records reflect that the victim's family consistently opposed Brooks' release. Dating back to 2017, VPB noted consistent opposition from the victim's family and others opposed to Brooks' release.²⁴² Brooks' family also consistently offered letters of support.

VPB records list "04/19/2020" as the official decision date.²⁴³ The decision to grant Brooks geriatric conditional release was certified on "04/30/2020."²⁴⁴ VPB staff mailed a notification of Brooks' release to the Amelia County Commonwealth's Attorney on May 1, 2020; notes indicate that the VPB received an undated signed return receipt.²⁴⁵ Brooks was released from State Farm Correctional Center on July 9, 2020.²⁴⁶

F. Violations of Law

No violations found.

Release of Floyd Copeland

A. Sentencing Information

On August 25, 1981, Floyd Copeland was convicted in Portsmouth Circuit Court and sentenced to 25 years in prison for 5 counts of sodomy committed while he was incarcerated.²⁴⁷ At the time Copeland committed these 5 counts of sodomy, he was serving a 92-year active sentence for rape, sodomy, robbery, abduction, and grand larceny.²⁴⁸

B. Facts of Parole-Eligible Offenses

On July 8, 1980, Copeland entered a ranger station in a Portsmouth park through a back door, put a knife to the female ranger's throat, and pulled her into a room at the rear of the building. Copeland raped the victim and attempted anal sodomy. Before leaving, he took her car keys and stole \$20. Copeland was arrested while driving the victim's car. Police found two knives and \$20 when they searched him. Copeland admitted guilt.²⁴⁹

The 5 sodomy convictions occurred in 1981 while Copeland was being held in the Portsmouth City Jail.²⁵⁰ "The male victim was beating his head against the wall when staff intervened and took him to medical. The victim told medical personnel that [Copeland], who was [the victim's] cell-mate, forced him to submit to oral and anal sex on several occasions."²⁵¹

C. Prior Criminal History and Institutional Discipline

Copeland's criminal history "begins in 1978 and includes convictions for [petit] larceny, trespass, grand larceny, A&B, and assault."²⁵² Copeland committed 94 institutional infractions while incarcerated, remaining infraction-free since 2013.²⁵³

D. Parole Examiner Interview and Recommendation

During a March 3, 2020 interview at Augusta Correctional Center, Copeland stated that he "did commit a couple of the crimes but some I didn't."²⁵⁴ Copeland denied "guilt in one street

crime but admits he did the offenses in jail.”²⁵⁵ Copeland noted that as to his previous crimes, “he would be slapped on the wrist by the courts, as many of the people in the courts were also Shriners and Masons, who were familiar with his case . . . and family.”²⁵⁶ The examiner “[chose] to side with public safety and risk to the community. Parole is not recommended due to serious nature & circumstances of the crimes; multiple victims & risk to community.”²⁵⁷

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB members voted on Copeland’s case between March 13, 2020 and March 26, 2020.²⁵⁸ Member A. Lincoln James voted against releasing Copeland on March 13, 2020; Chair Bennett voted to release Copeland on March 21, 2020; member Sherman Lea voted to release Copeland on March 26, 2020; member Linda Bryant voted to release Copeland on March 26, 2020.²⁵⁹ VPB’s information regarding victim contact consisted of the following from Victim Impact Coordinator Lisa Bowen on March 31, 2020: “VICTIM RESEARCH--No victims registered in VINE. I could not locate victim in database using information from PSR. Case is too old for Portsmouth V/W to have information (July 1980).”²⁶⁰

On March 21, 2020, Chair Bennett put a note into CORIS indicating that “[t]his offender has one grant and one not grant vote. If there is a third grant vote a[n] SVP screening must be requested.”²⁶¹ Chair Bennett noted on April 9, 2020, “SVP screening – no further action.”²⁶²

VPB records list “03/26/2020” as the official decision date.²⁶³ The decision to grant Copeland discretionary parole was certified on “4/10/2020.”²⁶⁴ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Portsmouth Commonwealth’s Attorney on April 10, 2020;²⁶⁵ notes indicate that that letter was “returned not deliverable – unable to forward” on April 27, 2020.²⁶⁶ Copeland was released from Augusta Correctional Center on July 31, 2020.²⁶⁷

F. Violations of Law

VPB’s decision to grant Floyd Copeland discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the victims of Copeland’s crimes before casting all the necessary votes to release Copeland.

Release of Elvin Whitehurst

A. Sentencing Information

On February 19, 1987, Elvin Whitehurst was sentenced in Norfolk Circuit Court to 50 years and 48 months for convictions of rape, burglary, and 4 counts of obscene communication.²⁶⁸ On March 8, 2018, VPB revoked Whitehurst’s parole, requiring him to serve the remainder of his nearly 26-year sentence.²⁶⁹

B. Facts of Parole-Eligible Offenses

Whitehurst “[b]urglarized [the] residence of 74-year-old victim, where he pushed her back on the bed and tore [her] pants off, then raped her at knife point.”²⁷⁰ There were three other attempted break-ins.²⁷¹ “Whitehurst then made obscene calls to victim and her daughter. The phone company was finally able to identify from where the calls originated.”²⁷² Whitehurst was arrested and confessed to the rape.²⁷³ Whitehurst was paroled in 2013; parole was revoked in 2018 following a DUI conviction.²⁷⁴

C. Prior Criminal History and Institutional Discipline

Whitehurst's "[c]riminal history includes two (2) misdemeanors, grand larceny and drunk in public."²⁷⁵ Whitehurst's "Supervision History indicated questionable adjustment with three (3) polygraphs that yielded deceptive results related to Whitehurst's sexual conduct and non-compliance with sex offender special conditions. Based on these results, he was sanctioned to GPS and returned to Sex Offender Treatment."²⁷⁶ Whitehurst committed 8 institutional infractions while incarcerated.²⁷⁷

D. Parole Examiner Interview and Recommendation

In an interview on January 21, 2020 at Deerfield Correctional Center, Whitehurst said that he "does not really know why those crimes occurred," referring to the burglary and rape.²⁷⁸ Regarding the parole violation, Whitehurst stated that "he was taking some food to a father's day party at dusk 'as my automatic headlights did not come on' so they smelled alcohol and I failed the test."²⁷⁹ Whitehurst said that he "only had 2 beers that night."²⁸⁰

The parole examiner noted that "[p]arole is not recommended due to failure on parole supervision, history of violence, history of substance abuse, risk to community. This is a violent sex offender who was engaging in risky behaviors while on supervision."²⁸¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Whitehurst's case between February 20, 2020 and April 9, 2020.²⁸² Member Kemba Pradia voted to release Whitehurst on discretionary parole on February 20, 2020; member A. Lincoln James voted against releasing Whitehurst on March 6, 2020; member Sherman Lea voted to release Whitehurst on March 25, 2020; member Linda Bryant voted to release Whitehurst on April 9, 2020.²⁸³

Member Linda Bryant entered a note in CORIS on March 25, 2020 that "[r]equested SVP screen and Victim research."²⁸⁴ On April 16, 2020, Lisa Bowen entered a note indicating "VICTIM RESEARCH COMPLETE – One registered victim in VINE no longer actively receiving notifications. Using information from the PSR rape victim [REDACTED] showing in database as deceased as of [REDACTED]. No further research is necessary. Ready to certify."²⁸⁵

VPB records list "04/09/2020" as the official parole decision date.²⁸⁶ The decision to grant Whitehurst discretionary parole was certified on "04/30/2020."²⁸⁷ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) on April 30, 2020 to the Norfolk Commonwealth's Attorney; notes indicate that the VPB received a return receipt dated May 6, 2020.²⁸⁸ Whitehurst was released from Nottoway Correctional Center on June 11, 2020.²⁸⁹

F. Violations of Law

VPB's decision to grant Elvin Whitehurst discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims (or surviving family members) of Whitehurst's crimes before casting multiple votes to release him.

Release of Frank Davis

A. Sentencing Information

The following list outlines Frank Davis's parole-eligible convictions:

1. Armed Bank Robbery, Virginia Beach Circuit, 26 years w/ 16 years suspended, 8/9/1989
2. Use of Firearm in Commission of Felony, Virginia Beach Circuit, 4 years, 8/9/1989
3. Use of Firearm in Commission of Felony, Newport News Circuit, 2 years, 7/21/1989
4. Use of Firearm in Commission of Felony, Newport News Circuit, 2 years, 7/21/1989
5. Enter Bank Armed w/ Intent to Commit Larceny, Newport News Circuit, 20 years w/ 10 years suspended, 7/21/1989
6. Armed Bank Robbery, Newport News Circuit, 20 years w/ 15 years suspended, 7/21/1989
7. Armed Bank Robbery, Newport News Circuit, 20 years w/ 15 years suspended, 7/21/1989
8. Rape, Newport News Circuit, 30 years, 1/9/1976
9. Abduction, Newport News Circuit, 5 years, 1/9/1976
10. Rape, Newport News Circuit, 10 years, 1/9/1976²⁹⁰

B. Facts of Geriatric Conditional Release-Eligible Offenses

During the 1976 rape, Davis

abducted a thirteen-year-old [sic] female as she was walking to her sister's house. He pointed a gun at the victim and threatened to kill her if she did not leave the area with him. [Davis] led the victim to a field approximately two blocks away. He instructed her to undress and lay on the ground. [Davis] fired the pistol twice into the ground and then raped the victim. The attack lasted approximately thirty minutes. A short time later, [Davis] once again raped the victim. [Davis] instructed the victim to get dressed a second time and they began walking from the area. The victim's sister spotted them and called out to the victim. At that point, the victim ran from [Davis]. [Davis] fired his pistol twice and fled the scene. Following his arrest, [Davis] denied any involvement in these offenses.²⁹¹

On December 29, 1988, Davis entered a bank in Virginia Beach, approached a teller with a "\$20 bill, asking for two fives and the rest in ones. He the produced a handgun and placed [it on] the counter with a white note which had red ink written on it."²⁹² Davis stated, "[d]on't touch anything and give me all of your large bills."²⁹³ Davis then "became impatient and leaned over the counter, looking for more money, and later fleeing from the bank. [An] FBI Agent [] later developed information from the Newport News Police Department that [a] suspect by the name of Frank Leon Davis could have been involved. [Davis] was subsequently identified by bank employees as having robbed the bank."²⁹⁴

C. Prior Criminal History and Institutional Discipline

Davis has juvenile convictions including shoplifting, three burglaries, two grand larcenies, and petit larceny. His adult convictions were for two rapes, abduction, 5 DUIs, breach of the peace, 4 bank robberies, 3 counts of use of a firearm, and a parole revocation.²⁹⁵ Davis committed 5 institutional infractions while incarcerated.²⁹⁶

D. Parole Examiner Interview and Recommendation

In an interview on October 1, 2019 in the Indian Creek Correction Center, Davis relayed that while he did well on supervision initially, everything went downhill, and that he didn't make excuses for what he did.²⁹⁷ The parole examiner noted that a recent COMPAS assessment showed a medium risk of general recidivism.²⁹⁸ The examiner recommended that Davis be released.²⁹⁹

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Davis' case between April 9, 2020 and April 13, 2020.³⁰⁰ Member Linda Bryant voted to grant Davis geriatric conditional release on April 9, 2020; member Sherman Lea voted to release Davis on April 10, 2020; member A. Lincoln James voted to release Davis on April 13, 2020.³⁰¹

On April 15, 2020, Victim Input Coordinator Lisa Bowen entered a note into CORIS indicating "VICTIM RESEARCH COMPLETE – No registered victims in VINE. Offender is a parole violator. Convictions are too old for V/W witnesses to have victim information. NO further research is necessary."³⁰²

VPB records list "04/13/2020" as the official decision date.³⁰³ The decision to grant Davis geriatric conditional release was certified on "04/27/2020."³⁰⁴ VPB staff mailed a notification of Davis's release to a Commonwealth's Attorney's office on April 27, 2020; no return receipt was received.³⁰⁵ Davis was released from Indian Creek Correctional Center on June 17, 2020.³⁰⁶

F. Violations of Law

No violations found.

Release of Gloria Hearn

A. Sentencing Information

The following list outlines Gloria Hearn's parole-eligible convictions:

1. Sodomy, Spotsylvania Circuit, life in prison, 5/4/1984
2. Rape, Spotsylvania Circuit, life in prison, 5/4/1984
3. Crimes Against Person, Spotsylvania Circuit, 40 years, 5/4/1984
4. Sodomy, Spotsylvania Circuit, life in prison, 5/4/1984
5. Obscene Material, Spotsylvania Circuit, 5 years, 5/4/1984
6. Abduction, Sussex Circuit, 2 years suspended, 11/17/1983³⁰⁷

B. Facts of Parole-Eligible Offenses

The victims were Hearn's two children, aged 10 and 12.³⁰⁸ Hearn divorced her husband, and her ex-husband was awarded custody of the children.³⁰⁹ Hearn subsequently married Joseph Hearn, her future codefendant.³¹⁰ "The children were 8 (girl) and 6 (boy) when the abuse began. Photographs were taken of the children performing these sex acts."³¹¹ The abduction was a totally separate offense; subject and her co-defendant abducted her son from the home of his biological father and were arrested in Texas several days later and extradited to Virginia."³¹²

C. Prior Criminal History and Institutional Discipline

Hearn had no known prior adult criminal record.³¹³ Hearn's only institutional infraction occurred in 1986.³¹⁴

D. Parole Examiner Interview and Recommendation

In an interview on January 14, 2020 at the Fluvanna Correctional Center, Hearn was asked about the "type of sexual acts [that] took place." Hearn stated, "I only recall 1 act. My husband was trying to get me to go down on my daughter, but I don't know if I did. I'm just going to go with what they said in court, because I really don't remember."³¹⁵ The parole examiner recommended that Hearn be released, despite noting that Hearn "continues to place the majority of the blame on her husband and [] she attempts to minimize her guilt."³¹⁶

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Hearn's case between February 28, 2020 and March 26, 2020.³¹⁷ Member A. Lincoln James voted against releasing Hearn on February 28, 2020; member Linda Bryant voted to release Hearn on March 18, 2020; member Kemba Pradia voted to release Hearn on March 19, 2020; member Sherman Lea voted to release Hearn on March 26, 2020.³¹⁸

On March 18, 2020, member Linda Bryant entered a note into CORIS requesting a sexually violent predator screening and victim research.³¹⁹ On April 7, 2020, Victim Input Coordinator Lisa Bowen entered a note into CORIS indicating "VICTIM RESEARCH COMPLETE – Victims are registered and have provided input in the past. No further research is necessary. Ready to certify."³²⁰ On April 8, 2020, member Linda Bryant entered a note stating, "SVP came back with no further eval needed."³²¹

CORIS notes reflect that VPB noted 7 contacts in support of Hearn and a "board appointment" with four of Hearn's supporters in 2020.³²² However, the last note regarding victim contact was on March 2, 2007, stating, "[s]ee victim notes dated 1/20/04."³²³

VPB records list "03/26/2020" as the official parole decision date.³²⁴ The decision to grant Hearn discretionary parole was certified on "04/10/2020."³²⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) on April 10, 2020 to the Sussex and Spotsylvania Commonwealth's Attorney's offices; VPB received a return receipt from Sussex on April 16, 2020 and an undated return receipt from Spotsylvania.³²⁶ Hearn was released from Fluvanna Correctional Center on May 19, 2020.³²⁷

F. Violations of Law

No violations found.

Release of Guy Price

A. Sentencing Information

On October 13, 1999, Guy Price was convicted of first-degree murder, use of a firearm in the commission of a felony, and firing into an occupied vehicle in Augusta Circuit Court, receiving a sentence of life in prison plus 7 years.³²⁸ The crimes occurred in 1992.³²⁹

B. Facts of Parole-Eligible Offenses

The body of the victim “was found in passenger seat of vehicle at a lake parking lot. He had been shot six (6) times in the head, chest and leg. The vehicle’s gas cap had also been opened and a cloth put in and [an] attempt had been made to light it with cigarette, but it had gone out prior to igniting the gas cap. The authorities had no leads in the case until 1998, when a private investigator hired by [the] victim’s family led to [a] witness who had been present at the shooting.”³³⁰ The witness, who testified against Price at trial, and Price were “best friends all through high school.”³³¹ Price was on active duty in the military and was home from Kuwait at the time of the murder.³³² Shortly after the shooting, Price “was transferred to Germany until 1996.”³³³

C. Prior Criminal History and Institutional Discipline

Price has no other known criminal history. Price committed 7 institutional infractions while incarcerated.³³⁴

D. Parole Examiner Interview and Recommendation

In an interview on March 4, 2020 at Augusta Correctional Center, Price alleged that he was present when the crimes occurred but that it was his friend who shot the victim.³³⁵ Price explained, “I was young, stupid, he was my best friend and I should have run straight to the police. Of not doing that, I am guilty but the real shooter threatened my family to keep me quiet.”³³⁶ Price claimed he did not know the victim.³³⁷ The parole examiner noted that “Price wanted the board to know that ‘I do not think I deserve parole but I do think that I have earned parole through my time served and my claims of innocence.’”³³⁸ The examiner recommended against releasing Price.³³⁹

E. Parole Board Deliberations and Victim and Prosecutor Contact

On March 30, 2020, member Linda Bryant held a “board appointment” with Price’s father.³⁴⁰ VPB voted on Price’s case on March 30 and 31, 2020. Member Linda Bryant voted to grant Price discretionary parole on March 30, 2020; Chair Adrienne Bennett, member Kemba Pradia, and member Sherman Lea all voted to release Price on March 31, 2020. On April 10, 2020, Chair Bennett placed a note in Price’s file stating “Ready certify [sic]. Release is authorized to home plan that is approved by Department of Corrections.”³⁴¹

On April 20, 2020, Lisa Bowen entered a note into CORIS stating, “VICTIM NOTIFICATION - There is one anonymous phone number in VINE. When I called to notify of offender’s upcoming release on May 6, 2020 I was hung up on as soon as I began talking. I also sent an email notification to the email registered in VINE. Victim [REDACTED] will be notified via letter through VINE.”³⁴² CORIS indicates that Price was considered for parole yearly since 2015.³⁴³ The only other note in VPB records mentioning a victim was the documentation of a January 4, 2018 phone call placed to VPB by the registered victim.³⁴⁴

VPB records list “03/31/2020” as the official parole decision date.³⁴⁵ The decision to grant Price discretionary parole was certified on “04/10/2020.”³⁴⁶ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Augusta Commonwealth’s Attorney on April 10, 2020; notes indicate that VPB received a signed return receipt on April 16, 2020.³⁴⁷ Price was released from Augusta Correctional Center on May 6, 2020.³⁴⁸

F. Violations of Law

VPB's decision to grant Guy Price discretionary parole violated Va. Code § 53.1-136(3)(c), because VPB failed to notify the Augusta Commonwealth's Attorney at least 21 business days prior to Price's release.

Release of Hugh Brown

A. Sentencing Information

On May 11, 1993, Hugh Brown was sentenced in York Circuit Court for first-degree murder and use of firearm in the commission of a felony, receiving a sentence of life in prison plus 2 years.³⁴⁹

B. Facts of Parole-Eligible Offenses

On August 12, 1992, Brown "picked up his pregnant girlfriend in Richmond and they drove to a parking area on the Colonial Parkway in York County. They exited the vehicle and the subject carried a bag containing a sheet, a can of charcoal lighter, a lighter and a loaded 9 mm pistol as he escorted the victim into a secluded wooded area."³⁵⁰ Brown then laid the sheet on the ground and "the couple engaged in consensual sex."³⁵¹ Brown's girlfriend told him she loved him, "and while she was facing him, he shot her."³⁵² The victim fell over, Brown rolled her body over, and Brown "shot her approximately five or six more times, then doused her with charcoal lighter [fluid] and set her on fire."³⁵³ Brown stated that he murdered his pregnant girlfriend "simply to eliminate or further prevent the victim from spreading the word he was the father of her unborn child and to 'spare his father, a Richmond minister, from shame' and further embarrassment."³⁵⁴ Brown further stated that "I guess I just got tired of it and you know, like I said there was my father being a minister and everything and there's pressure on us anyway" and "I just got upset and I reacted."³⁵⁵

C. Prior Criminal History

Brown's criminal history consists of criminal traffic offenses and failure to appear.³⁵⁶

D. Parole Examiner Interview and Recommendation

In an interview on January 21, 2020 at the Greensville Correctional Center, Brown stated that "[h]e thinks that he is a good candidate for release at this time as he handles things better, he can make a positive contribution to society, he wants to help young people, and he has been prepared for release by the programs he has taken. He stated that every year gets better."³⁵⁷ Brown further explained that "[h]e wants the Board to know that he has shared his feelings in the past, he would like the opportunity to give back to the community anyway he can, he does not want his crimes to be his story, and he is ready to give on the outside."³⁵⁸

The parole examiner noted that Brown

has made an overall good adjustment to incarceration. He is articulate, well-spoken and does not 'portray the typical inmate interviewed.' However, as stated last year, he premeditated the murder of his then 17-year-old pregnant girlfriend. He shot her directly after having sex with her and after she was on the ground, shot her 5 to 6 more times before setting her on fire. His 'excuse' was that she was pregnant and that he was the son of a preacher, however, he had another woman; much older than this victim, pregnant at the same time whom he did not kill. He talked about having

to live with what he had done and that he thinks about his victim's family, however did not express much remorse for his victim. While he does have family support, there was victim opposition in the past. While this Examiner would like to recommend release based on behavior while incarcerated, parole cannot be recommended for such a heinous, pre-planned murder.³⁵⁹

E. Parole Board Deliberations and Victim Contact

In February 2018, Chair Adrienne Bennett input the following note in Brown's file:

I have not met this offender, but I observed him during the DCE Graduation at Greenville Correctional Center where Governor McAuliffe was the keynote speaker in 2017. Offender Brown was the singer in the DCE or gospel band. He was an incredible singer. He is one of those offenders that seem out of place in prison because of who they appear to be. (How did he get here, I wondered?). I sat next to the Secretary of Commerce, who was equally impressed by Offender Brown. After the graduation, I called the office to get more information on him as I had considered interviewing him that day. Once I learned the heinous nature of the crime he committed, I opted not to speak with him so as not to raise false hope of release. It did not come out until this most recent Board Appointment, upon my questioning of his parents, that he had also gotten another woman pregnant during this same time frame (who he did not kill) and now has an adult son with whom his parents say he has a relationship. **This is very perplexing and his conduct was sociopathic, particularly considering he was 27 years old at the time and not a kid like his 17 year old girlfriend who he murdered** (emphasis added).

Brown's case received two rounds of voting in 2020. On March 20, 2020, member A. Lincoln James voted against releasing Brown.³⁶⁰ On March 26, 2020, members Sherman Lea and Kemba Pradia also voted against releasing Brown.³⁶¹ VPB's decision to "not grant" Hugh Brown parole was certified the same day. However, Chair Adrienne Bennett placed a hold on the decision and asked Victim Input Coordinator Lisa Bowen, to stop the victim from receiving a notification that Brown had been denied parole:

From:	Bennett, Adrienne (VPB VFE)
To:	Bowen, Lisa (VPB VFE) ; Hall, Laura H. (VPB)
Cc:	Pradia, Kemba (VPB VFE)
Subject:	Brown, Hugh J1032353
Date:	Wednesday, April 1, 2020 9:46:08 PM

Hi Lisa and Laura -

We are going to re-vote this case. There is one registered victim. It does not appear that notification of the 3/26 NG decision has gone out yet.

Anyway to stop the notification?

Regardless, can you put him in my queue for reconsideration?

In an interview, Judge Bennett stated that she did not recall what changed regarding

Brown's case between March 26, 2020 and Brown's second parole consideration in early April 2020. VPB member Kemba Pradia told us that Chair Bennett had sent her an email asking her to reconsider her vote to deny Brown's release. Pradia also stated that she had no knowledge that Chair Bennett had the victim notification turned off in Brown's case until she saw reports in the media. Pradia was unhappy that the victim's grandmother was unaware of Brown's parole consideration as a result of Chair Bennett turning off the victim notification.

Victim Input Coordinator Lisa Bowen subsequently emailed VADOC Victim Services personnel to request that the "not grant" notification from March 26, 2020 be turned off for Brown's registered victim. VADOC did so, and on April 2, 2020, Bowen informed Chair Bennett that the notification had been blocked.

VPB then re-voted Brown's case between April 2 and April 4, 2020.³⁶² Chair Bennett, member Kemba Pradia, and member A. Lincoln James all voted to release Brown on April 2, 2020.³⁶³ In an April 4, 2020 email, Chair Bennett wrote to member Linda Bryant "You have Hugh Brown in your queue. Very bad case – but lots of support. Kinda of (sic) an if not now when kind of case. . . I would like to certify him sooner rather than later if he makes it so I can talk to the victims and now (sic) put that on you on you (sic) or Tonya." Member Bryant cast the final necessary vote to grant Brown discretionary parole on April 4, 2020.³⁶⁴

On May 5, 2020, Lisa Bowen entered a note into CORIS indicating "VICTIM NOTIFICATION – Left VM 9:12am and sent emails to registrants in VINE regarding offender's upcoming release date of 5/20/2020."³⁶⁵ The only note prior to May 5, 2020 mentioning anything about victim contact was entered on January 22, 2014.³⁶⁶

VPB records list "04/04/2020" as the official decision date.³⁶⁷ The decision to grant Brown discretionary parole was certified on "04/10/2020."³⁶⁸ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the York County Commonwealth's Attorney's Office on April 10, 2020; notes indicate that an undated return receipt was received by VPB.³⁶⁹ Brown was released from Greensville Correctional Center on May 20, 2020.³⁷⁰

F. Violations of Law

VPB's decision to grant Hugh Brown discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the family of Brown's murder victim before casting all the necessary votes to release Brown.

Release of Iman Dastagirzada

A. Sentencing Information

On August 31, 2018, Iman Dastagirzada was convicted in Fairfax Circuit Court of two counts of distributing a schedule I/II drug and was sentenced to 5 years on each count, suspended conditioned on completion of the Youthful Offender program and supervised probation.³⁷¹

B. Facts of Parole-Eligible Offenses

On February 25, 2016, an undercover narcotics detective with the Fairfax County Police Department's Organized Crime and Narcotics Squad conducted a controlled buy and purchased two ounces of cocaine for \$2,800 from Dastagirzada.³⁷² On March 10, 2016, the same undercover detective conducted another controlled buy and purchased 166 grams (5.9 ounces) of cocaine from

Dastagirzada for \$3,900.³⁷³

C. Prior Criminal History and Institutional Discipline

Dastagirzada had no known juvenile criminal record. His adult convictions include underage possession of alcohol, possession of drug paraphernalia, speeding, driving without a license, giving false identification to a law-enforcement officer, assault & battery of a family member, and contempt of court.³⁷⁴

D. Parole Examiner Interview and Recommendation

In an interview on April 7, 2020 at Indian Creek Correctional Center, Dastagirzada stated. “I’m remorseful for doing this even though I knew better. I let a lot of people down, including myself. I was very young, dumb and naïve when this happened. I am glad that my involvement in this didn’t go any further than it did. Sometimes you just can’t trust everyone you hang out with. I learned from this that I can’t always help someone if it will hurt me. I need to learn how to start taking care of my needs.” The parole examiner recommended that Dastagirzada be released.³⁷⁵

E. Parole Board Deliberations and Victim Contact

On April 8, 2020, member Sherman Lea, Chair Adrienne Bennett, and member Kemba Pradia all voted to release Dastagirzada on discretionary parole.³⁷⁶ As Dastagirzada’s convictions were for drug distribution, there were no identifiable victims for VPB to contact.

VPB records list “04/08/2020” as the official parole decision date.³⁷⁷ The decision to grant Dastagirzada discretionary parole was certified on “04/09/2020.”³⁷⁸ VPB records contain no evidence of a notification to a Commonwealth’s Attorney’s office about Dastagirzada’s release.³⁷⁹ Dastagirzada was released from Indian Creek Correctional Center on May 11, 2020.³⁸⁰

F. Violations of Law

VPB violated Va. Code § 53.1-136(3)(c) by failing to notify the Fairfax County Commonwealth’s Attorney’s Office of its decision to grant Iman Dastagirzada discretionary parole at least 21 business days prior to Dastagirzada’s release from custody.

Release of James Harris

A. Sentencing Information

On August 14, 1987, James Harris was sentenced in Louisa Circuit Court to life in prison plus 20 years for convictions of rape, robbery, and abduction.³⁸¹ On August 25, 1987, Harris was sentenced in Louisa Circuit Court to 10 years with 5 suspended for receiving stolen property.³⁸²

B. Facts of Parole-Eligible Offenses

“Harris and his co-defendant abducted [the] victim at gunpoint, raped & assaulted her, robbed her of cash, jewelry and other personal property.”³⁸³ The 78-year-old “female victim lost sight in her left eye after the attack; she also heard perpetrators discussing whether or not to kill her prior to fleeing the scene.”³⁸⁴

C. Prior Criminal History and Institutional Discipline

Harris’ criminal history includes traffic offenses and burglary.³⁸⁵ Harris committed 16

infractions while incarcerated and was infraction-free since 1998.³⁸⁶

D. Parole Examiner Interview and Recommendation

In an interview on November 7, 2019 at the Augusta Correctional Center, Harris stated that he got into a car accident and then “he slid into drinking and drugging and feels that’s what led to crimes/prison.”³⁸⁷ Harris indicated that “[h]e is responsible, but a rape? Never in his wildest dreams would have thought he’d be locked up for something like that.”³⁸⁸

The parole examiner recommended against releasing Harris.³⁸⁹ The examiner noted Harris’ age and the amount of time he had served, but concluded that “the level of violence these men subjected the elderly victim to is unacceptable.”³⁹⁰

E. Parole Board Deliberations and Victim Contact

VPB voted on Harris’ case between November 29, 2019 and March 20, 2020.³⁹¹ Member Sherman Lea voted against granting Harris discretionary parole on November 29, 2019; member Kemba Pradia voted to release Harris on January 15, 2020; member Linda Bryant voted to release Harris on March 18, 2020; Chair Adrienne Bennett voted to release Harris on March 20, 2020.³⁹²

On April 16, 2019, Victim Input Coordinator Lisa Bowen entered the following note into Harris’ file:

VICTIM RESEARCH - Victim research was conducted for co-defendant Sherman Wells DOC Inmate #1056443. No registered victims in VINE/CORIS. According to the PSI the rape victim is [REDACTED]. I found one [REDACTED] in the database showing as deceased on [REDACTED]. I’m not sure this is the victim but her birth year was 1909. The crime took place in 1987 and the PSI states the victim was 78 at the time. The math works out (1909 + 78 = 1987). There are no relatives in the database for Ms. [REDACTED]. James Harris DOC Inmate #1072286 has an email in VINE with “Harris” in it so I assume this is for the offender. There is also a phone number that belongs to [REDACTED] according to the database. The victim and the offender were not listed on his relative report.³⁹³

Bowen subsequently entered another note on March 3, 2020 indicating “VICTIM RESEARCH COMPLETE – VINE has one email with “Harris” in it so I believe this is for the offender. There is one phone number with the last name “[REDACTED].” Not able to make a connection to the victim or offender. The rape victim [REDACTED] is showing as deceased in [REDACTED] in the database. There are no relatives in her report.”³⁹⁴

VPB records list “03/20/2020” as the official parole decision date.³⁹⁵ The decision to grant Harris discretionary parole was certified on “04/10/2020.”³⁹⁶ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) on April 10, 2020 to the Louisa Commonwealth’s Attorney’s Office; notes indicate that the VPB received a return receipt on April 20, 2020.³⁹⁷ Harris was released from Augusta Correctional Center on May 28, 2020.³⁹⁸

F. Violations of Law

VPB’s decision to grant James Harris discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the victims and any surviving family members of Harris’ multiple crimes before casting multiple votes to release Harris.

Release of James Jones

A. Sentencing Information

The following list outlines James Jones' parole-eligible convictions:

1. First-degree murder, Richmond City Circuit, life in prison, 5/19/1995
2. Use of a Firearm, Richmond City Circuit, 3 years, 5/19/1995
3. Accessory after the Fact, Richmond City GDC, 12 months w/ 8 months suspended, 8/31/1994
4. Obstruction of Justice, Richmond City GDC, 90 days, 8/9/1994
5. Trespassing, Richmond City GDC, 12 months, 8/9/1994
6. Sell Cocaine, Richmond City Circuit, 10 years w/ 8 years suspended, 7/25/1994
7. Sell Cocaine, Richmond City Circuit, 12 years w/ 10 years suspended, 12/10/1987
8. Simple Assault, Richmond City GDC, 30 days all suspended, 9/3/1987
9. Simple Assault, Richmond City GDC, 30 days all suspended, 9/3/1987
10. Sell Cocaine, Richmond City Circuit, Unknown, 7/3/1985
11. Conspiracy, Richmond City Circuit, 4 years, 7/3/1985³⁹⁹

B. Facts of Parole-Eligible Offenses

Jones stated that the 34-year-old murder victim "was a bully." Jones stated that "he was in an apartment with 2 other individuals" and someone else "started shooting." The victim was struck twice and later died at the hospital. Jones claimed that he was not the shooter, but witnesses at the scene identified him as the shooter. The victim was shot in the chest and head. Jones claimed that "he was involved in both drug usage and selling of illegal drugs." Jones wanted to "support a habit plus make some money."⁴⁰⁰

C. Prior Criminal History and Institutional Discipline

Jones' criminal history is outlined above. Jones committed 3 infractions while incarcerated.⁴⁰¹ His last institutional infraction occurred in January 2015 (being under the influence of buprenorphine).⁴⁰²

D. Parole Examiner Interview and Recommendation

In an interview on December 12, 2019 at Buckingham Correctional Center, Jones stated that while he previously used heroin and cocaine, he had taken substance abuse courses.⁴⁰³ The parole examiner noted that Jones is a "[s]ubstance abuser who failed on both probation and CDI as the result of additional convictions, including murder and use of a firearm. He takes no responsibility for the murder and blames other individuals, although there is no evidence that anyone else was charged."⁴⁰⁴ The examiner recommended against releasing Jones.⁴⁰⁵

E. Parole Board Deliberations and Victim Contact

VPB voted on Jones' case on March 30 and March 31, 2020.⁴⁰⁶ Member Linda Bryant voted to grant Jones discretionary parole on March 30, 2020; member Sherman Lea voted to release Jones on March 31, 2020; member A. Lincoln James voted to release Jones on March 31, 2020; member Kemba Pradia voted to release Jones on March 31, 2020.⁴⁰⁷

Previous victim research was conducted by Victim Input Coordinator Lisa Bowen on July

20, 2018.⁴⁰⁸ However, no victim research or contact for Jones' current parole consideration occurred until April 7, 2020, when Bowen noted "VICTIM RESEARCH COMPLETE – There is one anonymous phone number registered in VINE. I was not able to locate the murder victim [REDACTED] in the death record database. Richmond V/W has no records prior to 2001. Murder took place in May of 1994. No further research is necessary. Ready to certify."⁴⁰⁹

VPB records list "03/31/2020" as the official parole decision date.⁴¹⁰ The decision to grant Jones discretionary parole was certified on "04/10/2020."⁴¹¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond City Commonwealth's Attorney's Office on April 10, 2020; a return receipt was delivered to VPB dated April 15, 2020.⁴¹² Jones was released from Buckingham Correctional Center on May 20, 2020.⁴¹³

F. Violations of Law

No violations found.

Release of Jermaine Williams

A. Sentencing Information

The following list outlines Jermaine Williams' parole-eligible convictions:

1. Conspiracy-Dangerous Drugs, Newport News Circuit, 5 years, 1/9/1996
2. Robbery, Newport News Circuit, 5 years, 12/15/1995
3. Abduction, Newport News Circuit, 3 years, 12/15/1995
4. Use of Firearm in Felony, Newport News Circuit, 5 years, 12/15/1995
5. Use of Firearm in Felony, Newport News Circuit, 3 years, 12/15/1995
6. Robbery, Newport News Circuit, 5 years, 12/15/1995
7. Use of Firearm in Felony, Newport News Circuit, 5 years, 12/15/1995
8. Abduction, Newport News Circuit, 3 years, 12/15/1995
9. Use of Firearm in Felony, Newport News Circuit, 3 years, 12/15/1995
10. Second-degree murder, Newport News Circuit, 23 years, 12/15/1995
11. Use of Firearm in Felony, Newport News Circuit, 5 years, 12/15/1995⁴¹⁴

B. Facts of Parole-Eligible Offenses

On December 14, 1994, the victims went to an apartment to meet up with two females.⁴¹⁵ The victims parked across the street from the apartment.⁴¹⁶ After one of the victims walked from the car to the apartment, two other males were observed walking through an alley that was adjacent to the apartment.⁴¹⁷ "The suspects were both armed with what was believed to be .9mm weapons. The suspects ordered the victim to the ground and demanded drugs and money. One of the suspects took a diamond ring off the victim's finger, a gold Rolex chain, and his cellular phone. The other suspect proceeded across the street to the vehicle where the other male was waiting and demanded money and drugs from the second the victim."⁴¹⁸ Then, "one of the suspects escorted the male who was on the ground at gunpoint to the vehicle and ordered him to get into the back seat. The second suspect got into the front passenger seat and ordered the victim at gunpoint to drive. In fear of his life, one of the victims jumped from the moving vehicle and proceeded to run to a residence to seek help."⁴¹⁹ This victim was located later close to the vehicle. The victim was pronounced deceased by responding paramedics, who observed gunshot wounds.⁴²⁰

During course of the investigation, Williams was developed as a suspect. The surviving victim was shown a photo spread. After viewing the photo spread, the victim positively identified Williams as being involved in the offense.

An autopsy of the deceased victim noted that the victim

sustained two separate gunshot wounds, one to the top of the shoulder and a very close range wound to the right upper chest. Both wounds were lethal injuries with the right shoulder wound lacerating the spinal cord and the other wound perforating the heart and stomach. The wound to the upper chest was very close range with dense powder stippling surrounding the entrance wound and copious powder and burned fabric present on the outer garment this wound was uniformly fatal perforating the heart. In addition to the gunshot, there were small red abrasions of the forehead.⁴²¹

C. Prior Criminal History and Institutional Discipline

Williams' prior criminal and juvenile history is outlined below by the parole examiner; it includes a prior adjudication for first-degree murder.⁴²²

The subject was first with the juvenile authorities on May 13, 1987 when he appeared in Juvenile and Domestic Relations Court on the charge of Destroying Property. He paid restitution in this matter and the case was ultimately Nolle Prossed. In July of 1988, He was then charged with First Degree Murder. File material indicates that the subject was returning home from a party when he met up with several of his friends. They happened upon a middle-aged gentleman in the street and decided to "get him". The subject was found guilty of this Murder. He was committed to the State Department of Youth and Family Services at Barrett Learning Center. He was released from Barrett Learning Center on June 9, 1989 on Aftercare. On December 8, 1989, the subject was again before the Court on four separate charges. He had been declared a Child In Need of Services (CHINS). He was ordered into intensive counseling with the Institute for Family Centered Services. He was also charged with Violation of Probation due to a curfew violation. His Probation was revoked and he received a suspended commitment to the State Department of Youth and Family Services conditioned upon completion of the Peninsula Marine Institute Program. He successfully completed and graduated from PMI. The subject had also been charged with Assault and Battery. This charge was Nolle Prossed as the victim had relocated to another state. Finally, the subject had been charged with Abusive Language in the City of Hampton and the charge was transferred to the City of Newport News for disposition. He received the same sentence he received for the Violation of Probation charge previously noted. He was before the Juvenile and Domestic Relations Court on December 20, 1990 at which time he had been charged with Assault and Battery. File material indicated that the subject was found guilty, after the testimonies of two witnesses who identified him under oath as one of the boys, they witnessed stomping the victim into unconsciousness. He was recommitted to the State Department of Youth and Family Services. He was placed at the Hanover Learning Center. He had earned a home visit from Hanover Learning Center to his mother's home in Newport News and on April 21, 1992. While on the home visit, the subject went AWOL. An Escape from Detention charge was filed against him. On September 30, 1992, he was arrested and charged with Possession with Intent to Distribute Cocaine. Subsequent to a Transfer Hearing, the subject's case was transferred to the Circuit Court and on December 1, 1993, this charge was Nolle Prossed. On August 12, 1993, the subject was arrested and charged with Robbery and the Use of a Firearm in a Felony. The subject's charge was transferred to the Circuit Court where on December 20, 1993, a Motion to Strike was granted. After the subject was arrested on the two previous charges, the authorities at Hanover Learning Center were notified of his arrest. On May 2, 1994, he was returned to the Hanover Learning Center where he entered into the security program due to his status. File material indicated that because the subject had turned 19 in February of 1994, he was released to the custody of his mother on June 20, 1994. His case in the Juvenile and Domestic Relations Court was subsequently closed. His first contact with the adult system occurred subsequent to two Transfer Hearings from Juvenile and Domestic Relations Court. The subject also received several misdemeanor convictions. He received a prior incarceration for his March 24, 1995 conviction of Driving under a Suspended or Revoked License. He received five months in jail with all but thirty days suspended.

While in prison, Williams "tested positive for THC 09/30/2019 and 05/15/2017. When asked about the latest one during his interview this date, he denied using. His last institutional infraction was in 2017 for being under the influence of drugs."⁴²³ Williams committed 40 institutional infractions while incarcerated.⁴²⁴

D. Parole Examiner Interview and Recommendation

In an interview on February 18, 2020 at Lawrenceville Correctional Center, Williams stated that “he was young and looked up to the wrong people.”⁴²⁵ Williams indicated that his second murder was a robbery of a drug dealer that went wrong.⁴²⁶ The parole examiner noted that Williams “scored high on his 2020 COMPAS” and “is flagged in CORIS as a violence risk.”⁴²⁷ The examiner further observed that Williams “labeled as a blood gang member with 10 points. Notes stated that he self-admitted, although when asked by this Examiner, he denied affiliation.”⁴²⁸

The examiner concluded that Williams “has a history of violence, committing his first Murder at age 13. The instant offense was committed when he was 19. He has a lengthy criminal record. He expressed little remorse for any of his offenses. He is flagged as a violence risk, has a high COMPAS score and tested positive for THC 5 months ago. He still appears to be a risk to the community. Parole is not recommended.”⁴²⁹

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Williams’ case between March 24, 2020 and March 31, 2020.⁴³⁰ Chair Adrienne Bennett voted to grant Williams discretionary parole on March 24, 2020; member Sherman Lea voted to release Williams on March 27, 2020; member A. Lincoln James voted to release Williams on March 31, 2020.⁴³¹

On April 8, 2020, Victim Input Coordinator Lisa Bowen entered a note in CORIS stating, “VICTIM RESEARCH – No registered victims in VINE. Unable to locate the murder victim in the database. Case is too old for Newport News V/W to have information.”⁴³²

VPB records list “03/31/2020” as the official parole decision date.⁴³³ The decision to grant Williams discretionary parole was certified on “04/10/2020.”⁴³⁴ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Newport News Commonwealth’s Attorney on April 10, 2020; notes indicate that the VPB received an undated return receipt.⁴³⁵ Williams was released from Lawrenceville Correctional Center on May 20, 2020.⁴³⁶

F. Violations of Law

VPB’s decision to grant Jermaine Williams discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the victims of his crimes before casting all the necessary votes to release him.

Release of Jerry Lankford

A. Sentencing Information

On July 24, 2014, Jerry Lankford was sentenced in Martinsville Circuit Court to 10 years with 8 years and 4 months suspended for three convictions of distributing/selling a schedule I/II drug.⁴³⁷ On April 23, 2014, Lankford was sentenced in Henry Circuit Court to 5 years with 2 years and 6 months suspended on a probation violation for a burglary conviction, and 10 years with 8 years and 6 months suspended for a selling a schedule I/II drug.⁴³⁸

B. Facts of Geriatric Conditional Release-Eligible Offenses

Lankford’s drug offenses involved the sale of narcotics to police informants.⁴³⁹ Lankford sold Oxycodone to each informant, who then turned the narcotics over to law enforcement.⁴⁴⁰

Lankford pled guilty and stated that he sold his prescribed medication to “make money on the side” and then “purchase[d] more of his medication from dealers at a cheaper price.”⁴⁴¹

C. Prior Criminal History and Institutional Discipline

Lankford was committed to a juvenile facility in 1963 for 6 counts of burglary.⁴⁴² He was again committed to a juvenile facility in 1968 for 2 counts of petit larceny.⁴⁴³ Lankford’s adult record includes convictions for drug possession, grand larceny, burglary, probation violations, passing a bad check, DUI, escape from custody, contempt of court, a felony weapon offense, and multiple assaults; Lankford has 40 total felony convictions for burglary and grand larceny.⁴⁴⁴

Lankford’s last institutional infraction was on March 27, 2018 for possessing unauthorized drugs.⁴⁴⁵ Lankford had previous infractions for possessing unauthorized drugs on December 26, 2017 and February 17, 2016.⁴⁴⁶ Lankford committed 6 infractions while incarcerated.⁴⁴⁷

D. Parole Examiner Interview and Recommendation

In an interview on November 6, 2019 at the Green Rock Correctional Center, Lankford stated that he had been working undercover for police trying to meet drug dealers.⁴⁴⁸ Lankford explained that “one of the guys that was his contact was into burglaries and larcenies and [Lankford] went along with him.”⁴⁴⁹ The examiner noted that Lankford “is high risk for general recidivism and violent recidivism per COMPAS assessment. Parole is not recommended at this time based on extensive criminal history, admitted drug addiction and he is considered a risk to public safety. He was also on probation at the time he was convicted of new felonies.”⁴⁵⁰

E. Parole Board Deliberations and Victim Contact

VPB members voted on Lankford’s case between April 9, 2020 and April 14, 2020.⁴⁵¹ Member Linda Bryant voted to grant Lankford geriatric conditional release on April 9, 2020; member Sherman Lea voted to release Lankford on April 11, 2020, and A. Lincoln James voted to release Lankford on April 14, 2020.⁴⁵²

On April 15, 2020, Victim Input Coordinator Lisa Bowen entered the following note into CORIS: “VICTIM RESEARCH – No registered victims in VINE. Offender is a parole violator with new drug charges. No further research is necessary. Ready to certify.”⁴⁵³

VPB records list “04/14/2020” as the official decision date.⁴⁵⁴ The decision to grant Lankford geriatric conditional release was certified on “04/15/2020.”⁴⁵⁵ VPB staff mailed a notification of Lankford’s release to an unidentified Commonwealth’s Attorney’s office on April 6, 2020; no return receipt was received by VPB.⁴⁵⁶ Lankford was released from Green Rock Correctional Center on June 8, 2020.⁴⁵⁷

F. Violations of Law

No violations found.

Release of John Parker

A. Sentencing Information

The following list outlines John Parker’s parole-eligible convictions:

1. Parole Violation, 18 years 1 month 12 days, 3/15/2012

2. Burglary, Norfolk Circuit, 10 years w/ 5 years suspended, 11/28/2011
3. Hit & Run, Hampton Circuit, 5 years suspended, 10/24/2011
4. Eluding, Hampton Circuit, 3 years suspended, 10/24/2011
5. Possess Firearm by Violent Felon, Hampton Circuit, 5 years, 10/24/2011
6. Abduction, Norfolk Circuit, 20 years, 5/14/1986
7. Robbery, Norfolk Circuit, Unknown, 5/14/1986
8. Rape, Norfolk Circuit, 40 years, 5/14/1986
9. Burglary, Norfolk Circuit, 10 years all suspended, 5/14/1986
10. Burglary, Norfolk Circuit, 10 years all suspended, 5/14/1986⁴⁵⁸

B. Facts of Parole-Eligible Offenses

On February 5, 2010, Parker was driving a 2008 BMW with a suspended license. A Virginia State Trooper attempted to pull him over on I-64 for reckless driving, but Parker sped off. In snowy road conditions, Parker left the interstate and drove between 50 and 80 miles per hour while running red lights at two intersections. Parker eventually collided with another vehicle which slammed into a school bus.⁴⁵⁹ Parker drove away and then fled on foot.⁴⁶⁰ The state trooper saw Parker throw a handgun while running away. Parker was subsequently arrested, and his .38 caliber handgun was recovered. A search of Parker's vehicle discovered fifty .38 caliber rounds in a bookbag, and the vehicle was determined to be stolen.⁴⁶¹

Regarding the 1986 offenses, "[t]he victim came home to find Parker and co-defendant (whom she did not know) in her residence. She was grabbed and bound with tape on her hands, feet, eyes and mouth. While the co-defendant was going through the residence, Parker raped and had anal sodomy with the victim. The victim was able to break a window and scream. The defendants fled out a back door with the victim's jewelry and car keys in their possession."⁴⁶² Parker and the co-defendant later returned "to take the victim's car. The vehicle was later recovered with items in it belonging to Parker. The co-defendant was arrested a week later with jewelry from the crime scene in his possession. He gave a statement to police admitting to being in the victim's residence, and stating Parker raped the victim. Parker admitted to being present at the victim's residence on 06-04-85 and to putting his penis in the victim's vagina, but not her anus."⁴⁶³

C. Prior Criminal History and Institutional Adjustment

Parker's juvenile criminal adjudications include two burglaries, grand larceny, a probation violation, destruction of property, and leaving the scene of an accident.⁴⁶⁴ Parker was released to mandatory parole on 12-07-06, but was rearrested in 2010, and his parole was later revoked due to new convictions in Hampton Circuit Court.⁴⁶⁵ Parker's last institutional infraction was in March 2000.⁴⁶⁶ He committed 22 infractions while incarcerated.⁴⁶⁷

D. Parole Examiner Interview and Recommendation

In an interview on January 23, 2020 at St. Brides Correctional Center, Parker said of his 2011 convictions, "I felt like I should be there for my mother. That was the natural thing to do. In the process, I went about it the wrong way by driving on a suspended license."⁴⁶⁸

The parole examiner noted that Parker's "COMPAS risk assessment of 07-10-19 returned scoring High while also scoring High on the general and violent recidivism scales."⁴⁶⁹ The examiner nonetheless recommended releasing Parker.⁴⁷⁰

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Parker's case between February 26, 2020 and March 20, 2020.⁴⁷¹ Member Sherman Lea voted against granting Parker discretionary parole on February 26, 2020; Chair Bennett voted to release Parker on March 17, 2020; member Kemba Pradia voted to release Parker on March 17, 2020, member Linda Bryant voted to release Parker on March 20, 2020.⁴⁷²

On April 8, 2020, Victim Input Coordinator Lisa Bowen entered a note into CORIS indicating "VICTIM RESEARCH – No registered victims in VINE. Offender is a parole violator. New charges do not involve victims."⁴⁷³

VPB records list "03/20/2020" as the official parole decision date.⁴⁷⁴ The decision to grant Parker discretionary parole was certified on "04/10/2020."⁴⁷⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Norfolk and Hampton Commonwealth's Attorneys on April 10, 2020; VPB received a return receipt from Norfolk and Hampton on April 16, 2020.⁴⁷⁶ Parker was released from St. Brides Correctional Center on May 20, 2020.⁴⁷⁷

F. Violations of Law

VPB's decision to grant John Parker discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of Parker's crimes before casting all the necessary votes to release him.⁴⁷⁸

G. Adjustment to Supervision

On June 14, 2022, Parker was convicted of a probation violation in the Hampton Circuit Court.⁴⁷⁹ Parker also has a pending probation violating in the Norfolk Circuit Court scheduled for a hearing on January 12, 2023.⁴⁸⁰ As a result of the Hampton conviction and pending Norfolk hearing, a parole violation hearing was scheduled for December 14, 2022.⁴⁸¹ Parker remains in custody as of the release of this report.

Release of John Scott

A. Sentencing Information

The following list outlines John Scott's parole-eligible convictions:

1. Petit Larceny, Orange Circuit, 3 months, 3/29/1984
2. Grand Larceny, Fluvanna Circuit, 10 years w/ 5 years suspended, 2/27/1984
3. Burglary, Fluvanna Circuit, 10 years w/ 5 years suspended, 2/27/1984
4. Burglary, Charlottesville Circuit, 10 years, 2/2/1984
5. Burglary, Charlottesville Circuit, 10 years, 2/2/1984
6. Robbery, Charlottesville Circuit, 5 years, 2/2/1984
7. Rape, Charlottesville Circuit, 40 years, 2/2/1984⁴⁸²

B. Facts of Parole-Eligible Offenses

"During the early morning hours, [Scott] broke into a private residence in the City of Charlottesville and raped/robbed the 36-year-old female occupant at knife point. The following day, the subject broke into the very same residence, however the occupant was not home during that offense."⁴⁸³

Another burglary “involved the break-in of a private residence in Fluvanna County and the theft of 2 handguns, a camera, camera equipment, gold watch, silver dollars, along with an assortment of jewelry and change.”⁴⁸⁴

C. Prior Criminal History and Institutional Discipline

Scott’s criminal history includes two forgeries, grand larceny, petit larceny and probation violations.⁴⁸⁵ Scott committed 63 institutional infractions while incarcerated.⁴⁸⁶

D. Parole Examiner Interview and Recommendation

In an interview on October 3, 2019 at Dillwyn Correctional Center, Scott denied guilt for his Fluvanna County burglary, stating that “yes, I was the driver, but it my cousin who broke into the house.”⁴⁸⁷ When asked about the rape, robbery, and burglaries in Charlottesville, Scott stated that “he entered the home late in the evening and admits he did know the victim was inside the residence.”⁴⁸⁸ Scott stated that he “had seen her before and we had spoken, but I really didn’t know her.”⁴⁸⁹ Scott indicated that “at the time of the offense, ‘I’d been smoking weed and drinking. I was broke and I went into the house to get money.’”⁴⁹⁰ After he got into the residence, he “found the victim, ‘sleeping in bed and that is when I took my clothes off and we had sex. I knew she had been drinking and I took advantage of her.’”⁴⁹¹ However, Scott denied guilt for the burglary he committed the next day “and stated, ‘no, I didn’t do that one.’”⁴⁹² The parole examiner recommended that Scott be released.⁴⁹³

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Scott’s case between February 26, 2020 and February 29, 2020.⁴⁹⁴ Member Linda Bryant voted to grant Scott discretionary parole on February 26, 2020; Chair Adrienne Bennett voted to release Scott on February 27, 2020; member Kemba Pradia voted to release Scott on February 29, 2020.⁴⁹⁵

The first mention of victim research in VPB files was from Victim Input Coordinator Lisa Bowen on February 28, 2020, who wrote “VICTIM RESEARCH – No registered victims in VINE. I was able to locate the rape victim [REDACTED] in the database. She currently lives in [REDACTED]. No contact has been made.”⁴⁹⁶ The next note in CORIS is from Lisa Bowen on March 30, 2020 and stated “VICTIM RESEARCH – Sent victim notification letter to sexual assault/rape victim [REDACTED]. Response deadline is Monday, April 20, 2020.”⁴⁹⁷ On April 7, 2020, Bowen noted that the victim had responded and would “offer no input that would interfere with [Scott’s] parole.”⁴⁹⁸

VPB records list “02/29/2020” as the official parole decision date.⁴⁹⁹ The decision to grant Scott discretionary parole was certified on “04/10/2020.”⁵⁰⁰ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Fluvanna, Orange County, and Charlottesville Commonwealth’s Attorney’s Offices on April 10, 2020; a return receipt was returned to VPB dated April 16, 2020 for Fluvanna and Orange County, and dated April 17, 2020 for Charlottesville.⁵⁰¹ Scott was released from Bland Correctional Center on June 1, 2020.⁵⁰²

F. Violations of Law

VPB’s decision to grant John Scott discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the victims of each of Scott’s crimes before casting all the necessary votes to release him.

Release of Larry Potee

A. Sentencing Information

On March 28, 1983, Larry Potee was sentenced in Richmond City Circuit Court to 130 years in prison for 2 counts of sodomy, abduction, robbery, and crimes against a person.⁵⁰³

B. Facts of Parole-Eligible Offenses

“Potee entered the victim’s residence, awakened him and then cut him on [the] arm and hands with [a] butcher knife before forcing him to strip.”⁵⁰⁴ Potee “attempted to anally sodomize [the] victim and forced him to commit oral sodomy.”⁵⁰⁵ After allowing male victim to dress, [Potee] forced him to commit oral sodomy on a second male present.”⁵⁰⁶ Potee then tied a cord around the victim’s neck and the forced him out of his home.⁵⁰⁷

C. Prior Criminal History and Institutional Discipline

Potee’s criminal history began in 1968 and includes convictions for grand larceny of an auto, petit larceny, escape from custody, burglary, possession of marijuana, assault, trespass, and property damage.⁵⁰⁸ Potee committed 8 institutional infractions while incarcerated.⁵⁰⁹

D. Parole Examiner’s Findings and Recommendation

In an interview on March 31, 2020 at the Nottoway Correctional Center, Potee “attribute[d] his crimes to lack of direction, lack of education, being aimless, drinking and hanging with the street life.”⁵¹⁰ Potee further relayed he “remains sorry for what happened,” but that “if not for drinking, [he] would not be here today.”⁵¹¹ The parole examiner wrote that Potee’s “[a]ge and time served noted, however parole is not recommended at this time due to the serious, violent nature and circumstances of the crimes, extensive criminal record and the history of substance abuse.”⁵¹²

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Potee’s case between April 4, 2020 and April 6, 2020.⁵¹³ Chair Bennett voted to grant Potee discretionary parole on April 4, 2020; member A. Lincoln James voted to release Potee on April 6, 2020; member Kemba Pradia voted to release Potee on April 6, 2020.⁵¹⁴

On April 8, 2020, Victim Input Coordinator Lisa Bowen entered a note into CORIS stating “VICTIM RESEARCH – No registered victims in VINE. Using address and name information from PSR I was not able to locate the victim [REDACTED] in the database.”⁵¹⁵

VPB records list “04/06/2020” as the official parole decision date.⁵¹⁶ The decision to grant Potee discretionary parole was certified on “04/30/2020.”⁵¹⁷ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) on April 30, 2020 to the Richmond City Commonwealth’s Attorney; VPB received a return receipt dated May 5, 2020.⁵¹⁸ Potee was released from Nottoway Correctional Center on June 18, 2020.⁵¹⁹

F. Violations of Law

VPB’s decision to grant Larry Potee discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact the victims of Potee’s crimes before casting all the necessary votes to release him.

Release of Linwood Scott, Jr.

A. Sentencing Information

The following list outlines Linwood Scott's geriatric conditional release-eligible convictions:

1. Armed Burglary w/ Intent to Commit Murder/Rape, etc., Suffolk Circuit, 4 years, 6/26/2006
2. Grand Larceny, Suffolk Circuit, 9 years w/ 7 years suspended, 6/26/2006
3. Burglary, Norfolk Circuit, 4 years 7 months, 11/18/2005
4. Burglary, Suffolk Circuit, 10 years with 4 years suspended, 7/20/1995
5. Grand larceny, Suffolk Circuit, 10 years with 9 years suspended, 7/20/1995
6. Receiving Stolen Property, Norfolk GDC, 60 days, 5/15/1984
7. Burglary, Portsmouth Circuit, 15 years, 4/24/1984
8. Burglary, Portsmouth Circuit, 5 years, 2/23/1984
9. Recidivist, Richmond City Circuit, 1 year, 12/7/1977
10. Burglary, Portsmouth Circuit, 15 years, 8/3/1977
11. Burglary, Portsmouth Circuit, 1 year, 1/4/1974
12. Arson, Portsmouth Circuit, 5 years, 1/4/1974
13. Attempted Arson, Portsmouth GDC, 6 months, 1/4/1974⁵²⁰

B. Facts of Geriatric Conditional Release-Eligible Offenses

Scott's 1984 Portsmouth convictions were summarized as follows:

Instant offenses involved subject entering the apartment of [REDACTED] located at [REDACTED], [REDACTED] in Portsmouth, VA, by opening the sliding glass patio doors leading to the living room. The subject entered Ms. [REDACTED]'s apartment located on the ground floor and went into kitchen, where he removed a towel from the refrigerator door handle, and walked to the rear bedroom. [REDACTED] awoke from her sleep and saw the subject enter her bedroom. She screamed for her mother and her brother, [REDACTED], for help. The black male ran out of the bedroom into the living room, where he picked up a 1984 Deep Creek High School ring and ran out the patio door. He did not pick up a wallet lying beside the ring. Later, on the same date, Linwood Scott, Jr sold a 1984 Deep Creek High School ring with the name of [REDACTED] written inside the ring, to VA Iron & Metal Company. Mr. [REDACTED] questioned Scott about the ring and the name written inside. Scott told Mr. [REDACTED] that he won the ring gambling that morning. The ring was photo'd and released to the owner.⁵²¹

"On January 8, 1995, Mrs. [REDACTED]'s residence located in the City of Suffolk, was burglarized and the following items were taken: 1 Emerson VCR; 2 Sharp stereo speakers; 1 Sharp compact disk stereo system and one 19' RCA color television." Scott was apprehended inside of the residence by Suffolk Police officers. Scott broke free and fled the residence, but he was subsequently identified by police and the victim in a photo lineup.⁵²²

On June 1, 2005, officers of the Norfolk Police Department responded to a report of a burglary in progress. "[REDACTED], the owner of the dwelling house and her daughter,

██████████, had secured the house and had not given the subject, Linwood Scott Jr., permission to enter the house. At approximately 5:00 AM the ██████████'s next door neighbor observed Scott wearing dark clothing and a black cap enter the ██████████'s house through a window and called police.” The owner of the house “later found the screen to the window in the kitchen had been cut and personal property moved inside the house. Responding Officers secured the outside of the house and saw Scott, wearing dark clothing moving throughout the inside of the residence at ██████████. They called Scott and told him to exit the residence.”⁵²³

C. Prior Criminal History and Institutional Discipline

Scott’s criminal history began as a juvenile when he was found guilty of unlawful concealment in 1969 and placed on 12 months’ probation.⁵²⁴ Scott was then found guilty of unauthorized use of an auto and placed on supervised probation for 2 years.⁵²⁵

Scott served 2 years on his initial conviction and “was released on [d]iscretionary parole in 1975.”⁵²⁶ Scott was “continued on parole supervision in 1980 following new convictions.”⁵²⁷ Scott’s parole was revoked in 1984.⁵²⁸ He was “[r]eleased on discretionary parole a third time in 1991” and his parole was revoked in 1995 for new convictions. After serving almost 10 years, Scott was released on discretionary parole a fourth time in 2004.⁵²⁹

D. Parole Examiner Interview and Recommendation

In an interview on February 21, 2019 at the Caroline Correctional Unit, Scott “admit[ted] to his crimes and [said] he is too old for this.”⁵³⁰ The examiner noted that “[f]ile materials from Post Release Unit & local PPO noted subject was identified as the ‘Towel Rapist’ who was alleged to have raped an estimated 13 women in [a] 26 month time frame in 1981, ’82 and ’83. The rape or attempted rape charge was not prosecuted, however.”⁵³¹ The examiner further noted that Scott’s COMPAS general recidivism risk was medium and his violent recidivism risk was medium.⁵³² The examiner recommended releasing Scott despite noting that his “disregard for property rights and multiple failures on parole are aggravating factors.”⁵³³

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB members voted on Scott’s case on April 9, 2020.⁵³⁴ Member Linda Bryant, member Kemba Pradia, and Chair Bennett all voted to grant Scott geriatric conditional release on April 9, 2020.⁵³⁵ VPB records contain no indication that victim research or contact were attempted.

VPB records list “04/09/2020” as the official decision date in Scott’s case.⁵³⁶ The decision to grant Scott geriatric conditional release was certified on “04/10/2020.”⁵³⁷ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) on April 10, 2020; notes indicate that a return receipt was received from the Richmond City Commonwealth’s Attorney on April 15, 2020 and on April 16, 2020 from the Norfolk Commonwealth’s Attorney.⁵³⁸ Scott was set to be released on May 7, 2020, but he was held in custody due to a detainer lodged by Norfolk officials.⁵³⁹

Scott was arrested on May 7, 2020 and served with direct indictments for charges of rape, abduction with intent to defile, and burglary, all related to a March 1994 incident in Norfolk for which DNA testing linked Scott.⁵⁴⁰ Scott pled not guilty to the charges, demanded a jury trial, and was convicted of rape, abduction with intent to defile, and burglary in Norfolk Circuit Court in June 2022. He was sentenced to serve 30 years.

F. Violations of Law

VPB's decision to release Linwood Scott Jr. on discretionary parole violated Va. Code § 53.1-155(A), which requires VPB to conduct a comprehensive investigation into potential parolees. VPB is required to determine that an offender's release "will not be incompatible with the interests of society." Our review of Scott's VPB files revealed no information about the detainer for rape and related charges that had been filed by Norfolk officials.

Release of Preston Parker

A. Sentencing Information

The following list outlines Preston Parker's parole-eligible convictions:

1. First-degree murder, Petersburg Circuit, 50 years, 7/24/1979
2. Weapon Offense, Petersburg Circuit, 3 years, 7/24/1979
3. Fraud, Petersburg Circuit, 4 years, 7/10/1979
4. Attempted Fraud, Petersburg Circuit, 2 years, 7/10/1979
5. Weapon Offense, Petersburg Circuit, 1 year, 6/8/1979
6. Burglary, Petersburg Circuit, 10 years, 6/8/1979
7. Second-degree murder, Petersburg Circuit, 15 years, 6/8/1979⁵⁴¹

B. Facts of Parole-Eligible Offenses

"[A]n individual found the body of a deceased female while walking in the vicinity of West Street in Petersburg. The victim had been shot in the right temple. The investigation revealed [Parker] and victim were last seen together."⁵⁴² Parker testified that "he had no money after the couple had engaged in sex. The victim found the gun in the truck and in a struggle, the gun went off. The victim fell from the vehicle and the subject drove off not calling for assistance or reporting the shooting."⁵⁴³

"The second murder occurred a couple of months later. [Parker] and his wife were estranged and he came to the house apparently with the intent of killing or injuring her." Parker "broke into the house, shooting and killing his son-in-law."⁵⁴⁴

C. Prior Criminal History and Institutional Discipline

Parker's criminal history "dates back to 1959 and includes convictions for Assaults, Housebreaking and Attempted Housebreaking. In 1972, he was convicted of Distribution of Heroin, receiving 5 years with all but 6 months suspended and placed on probation which he apparently completed."⁵⁴⁵ In December of 1972, Parker "was convicted of Possessing Heroin, receiving 4 years to serve. He was granted parole[] in September 1974 to a residential facility, but failed to comply. Therefore, parole was revoked in November 1974. He was released on parole in March 1975 and completed that obligation in June of that same year."⁵⁴⁶ Parker committed 7 institutional infractions while incarcerated.⁵⁴⁷

D. Parole Examiner's Findings and Recommendation

In an interview on March 17, 2020 at Haynesville Correctional Center, Parker stated, "I shot my son-in-law when we were wrestling over a gun. I shot a female in the truck and then I hit the female with the truck because I panicked."⁵⁴⁸ The parole examiner noted that Parker's

COMPAS assessment showed a medium risk of general recidivism.⁵⁴⁹ The examiner recommended against releasing Parker, noting that he “presents as a continued risk to the community.”⁵⁵⁰

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Parker’s case between March 26, 2020 and April 2, 2020.⁵⁵¹ Member Sherman Lea voted to release Parker on discretionary parole on March 26, 2020; member A. Lincoln James voted to release Parker on March 30, 2020; member Kemba Pradia voted to release Parker on April 2, 2020.⁵⁵²

On April 8, 2020, Victim Input Coordinator Lisa Bowen entered a note into CORIS indicating “VICTIM RESEARCH – No registered victims in VINE. PSR has [REDACTED]. The case is too old for Petersburg V/W to have information.”⁵⁵³

VPB records list “04/02/2020” as the official parole decision date.⁵⁵⁴ The decision to grant Parker discretionary parole was certified on “04/10/2020.”⁵⁵⁵ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) on April 10, 2020 to the Petersburg Commonwealth’s Attorney; VPB received a return receipt dated April 17, 2020.⁵⁵⁶ Parker was released from Haynesville Correctional Center on May 22, 2020.⁵⁵⁷

F. Violations of Law

VPB’s decision to grant Preston Parker discretionary parole violated Va. Code § 53.1-155(B), because the Board failed to “endeavor diligently” to contact the families of the victims of Parker’s crimes before casting all the necessary votes to release him.

Release of Ralph Boone

A. Sentencing Information

The following list outlines Ralph Boone’s geriatric conditional release-eligible convictions:

1. Parole Violation, 2 years 8 months 1 day, 10/11/2006
2. Distribute Schedule I/II Drug, Southampton Circuit, 20 years w/ 10 years suspended, 8/3/2006
3. Sell Schedule I/II Drug, Southampton Circuit, 20 years w/ 18 years suspended, 8/3/2006
4. Robbery, Southampton Circuit, 7 years all suspended, 8/3/2006
5. Grand Larceny, Southampton Circuit, 5 years, 8/3/2006
6. Robbery, Southampton Circuit, 7 years all suspended, 6/17/1997
7. Burglary, Southampton Circuit, 3 years, 6/17/1997
8. Grand Larceny, Southampton Circuit, 8 years w/ 5 years suspended, 6/17/1997
9. Sell Cocaine, Southampton Circuit, 10 years w/ 4 years suspended, 10/31/1996
10. Possess Cocaine, Southampton Circuit, 5 years all suspended, 10/31/1996
11. Robbery, Southampton Circuit, 12 years w/ 7 years suspended, 12/16/1992
12. Burglary, Southampton Circuit, 8 years w/ 3 years suspended, 2/27/1990
13. Receiving Stolen Property, Southampton Circuit, 5 years, 10/7/1983
14. Grand Larceny, Southampton Circuit, 6 years, 9/19/1983⁵⁵⁸

B. Facts of Geriatric Conditional Release-Eligible Offenses

On December 5, 2005, a detective met with an informant and the informant was “given \$60 to purchase the cocaine and was wired for audio and video recording.”⁵⁵⁹ The informant then “arrived in the 600 block of Cameron Street at 5:09 P.M. The informant purchased three rocks of suspected crack cocaine from Ralph Boone for \$60.00 before returning to the prearranged location” to turn the narcotics over to the detective.⁵⁶⁰ The suspected narcotics were sent to the Eastern Laboratory in Norfolk and found to be cocaine.⁵⁶¹

C. Prior Criminal History and Institutional Discipline

Boone has an “extensive adult criminal conviction history to include: Assault & Battery (1977, 1978, 1979, 1981, 1982, 1983, 1989), Drunk in Public (1977), Receiving Stolen Property (1979), Fail to Appear [1983], Grand Larceny [1983], Probation Violation (1983), Break & Enter [1990], Grand Larceny (1990), Robbery (1992), Contempt of Court (1995), Sell/Distribute Cocaine [1996], Possess Cocaine (1996), Probation Violation (1997), and Sell/Distribute Cocaine X 2 [2006], Probation Violation [2006], Parole Violation (2006).”⁵⁶²

Boone committed two institutional infractions while incarcerated.⁵⁶³

D. Parole Examiner Interview and Recommendation

In an interview on September 5, 2019 at the Indian Creek Correctional Center, Boone stated that regarding the 2005 narcotics offenses, “he was under the influence of crack cocaine and alcohol.” Boone “did not remember the offenses but stated that ‘he probably did it.’”⁵⁶⁴ The parole examiner recommended against releasing Boone.⁵⁶⁵

E. Parole Board Deliberations and Victim Contact

VPB voted on Boone’s case between April 9, 2020 and April 13, 2020.⁵⁶⁶ Member Linda Bryant voted to grant Boone geriatric conditional release on April 9, 2020; member Kemba Pradia voted to release Boone on April 9, 2020; member A. Lincoln James voted to release Boone on April 13, 2020.⁵⁶⁷

On April 15, 2020, Victim Input Coordinator Lisa Bowen placed a note in Boone’s file stating “VICTIM RESEARCH COMPLETE – No registered victims in VINE. Offender is a parole violator with new drug convictions. No further research is necessary.”⁵⁶⁸

VPB records list “04/13/2020” as the official decision date.⁵⁶⁹ The decision to grant Boone geriatric conditional release was certified on “04/27/2020.”⁵⁷⁰ VPB staff mailed a notification of Boone’s release to an unidentified Commonwealth’s Attorney’s office on April 27, 2020; there is no evidence that the notification was received.⁵⁷¹ Boone was released from Indian Creek Correctional Center on June 17, 2020.⁵⁷²

F. Violations of Law

No violations found.

Release of Robert Clark

A. Sentencing Information

On September 29, 1994, Robert Clark was convicted in Halifax Circuit Court of capital

murder, robbery, and two counts of use of a firearm, receiving two life sentences plus 6 years.⁵⁷³

B. Facts of Parole-Eligible Offenses

Clark's victim was a male college student "who had travelled to the Halifax area to visit his fiancé. Clark pulled a gun while in the car with the victim and shot him once in the back of the head. When the victim slumped over, Clark fired three (3) more shots into the victim's skull at close range, executing him. He took the car and some money from the glove compartment."⁵⁷⁴ The parole examiner noted that "[i]t appears the defendant tried to put the deceased victim on trial, alleging he was a drug dealer."⁵⁷⁵ Clark's "mother had a small .22 caliber revolver that turned up missing prior to the incident. It was loaded at the time it was removed from her residence."⁵⁷⁶ Clark and his codefendant left the victim in a gravel pile in an intersection and fled to New York in the victim's car.⁵⁷⁷ "The car was later found near Brooklyn, NY by the NY state police, and more than \$200 was stolen from the car's glove compartment."⁵⁷⁸

C. Prior Criminal History and Institutional Discipline

As a juvenile, Clark was adjudicated delinquent for throwing a missile at a school bus.⁵⁷⁹ Clark "was placed on unsupervised probation for 6 months, order[ed] to complete 50 hours of public service work and was further ordered to make restitution."⁵⁸⁰ Clark committed two institutional infractions while incarcerated.⁵⁸¹

D. Parole Examiner Interview and Recommendation

In an interview on March 23, 2020 in the Buckingham Correctional Center, Clark stated that at the time of the murder he was "looking for acceptance, got in with some drug dealers, one from NY, the guy I shot was from DC and [Clark said] he sought validation being around them and being part of something."⁵⁸² Clark further stated, "I was trying to fit in," and that his codefendant shot the victim first "so I looked at it as I was shooting a dead body."⁵⁸³ The parole examiner recommended against releasing Clark.⁵⁸⁴

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Clark's case between March 25, 2020 and April 1, 2020.⁵⁸⁵ Member Linda Bryant voted to release Clark on discretionary parole on March 25, 2020; Chair Bennett voted to release Clark on March 28, 2020; member A. Lincoln James voted to release Clark on March 31, 2020; member Sherman Lea voted to release Clark on April 1, 2020.⁵⁸⁶

In a CORIS note on March 25, 2020, member Linda Bryant "[r]equested victim research."⁵⁸⁷ On April 2, 2020, Victim Input Coordinator Lisa Bowen entered a note into Clark's file stating "VICTIM RESEARCH – There are no victims in VINE. I was able to locate the murder victim [REDACTED] in the death record database. He has no relatives in his report. The PSR indicates [REDACTED]. She was not found in the database. I have sent this information to Halifax V/W to help with victim contact information."⁵⁸⁸ Bowen followed this up with a note on April 8, 2020 stating, "VICTIM RESEARCH COMPLETE – Halifax V/W no information. Victim research complete."⁵⁸⁹

VPB records list "04/1/2020" as the official parole decision date.⁵⁹⁰ The decision to grant Clark discretionary parole was certified on "04/10/2020."⁵⁹¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Halifax Commonwealth's Attorney on April 10, 2020; VPB received a signed return receipt on April 20, 2020.⁵⁹² Clark was released from

Buckingham Correctional Center on May 20, 2020.⁵⁹³

F. Violations of Law

VPB's decision to grant Robert Clark discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Clark's victims before casting all necessary votes to release him.

Release of Roger Mallory

A. Sentencing Information

The following list outlines Roger Mallory's parole-eligible convictions:

1. Use of Firearm in Felony, Hanover Circuit, 2 years, 4/4/1994
2. Robbery, Hanover Circuit, life in prison, 4/4/1994
3. Possession of Weapon, Hanover Circuit, 5 years, 4/4/1994
4. Robbery, Hanover Circuit, Unknown, 4/4/1994
5. Grand Larceny, Hanover Circuit, 10 years w/ 1 year suspended, 6/6/1988
6. Firing into Dwelling/Building, Louisa Circuit, 2 years 4 months all suspended, 10/16/1987
7. Abduction, Louisa Circuit, 3 years, 10/16/1987
8. Brandishing Firearm, Louisa GDC, 12 months, 8/14/1987
9. Abduction, Louisa Circuit, 5 years w/ 3 years suspended, 5/16/1984
10. Grand Larceny, Hanover Circuit, 12 months, 3/12/1984
11. Abduction, Louisa Circuit, 10 years w/ 5 years suspended, 8/24/1979
12. Firing into Dwelling/Building, Louisa Circuit, 5 years, 8/2/1979⁵⁹⁴

B. Prior Criminal History and Institutional Discipline

Mallory's criminal history "includes trespassing, DUI, unlawful shooting, escape, unlawful discharge [of] firearm, threaten with gun, probation violation, and contempt of court."⁵⁹⁵

Mallory served 3 years for his 1979 convictions and was "released on discretionary parole in 1982."⁵⁹⁶ Mallory's "[p]arole was revoked in '84 based upon new [a] conviction for Grand Larceny and he was also returned to court on [a] show cause" for the previously suspended portions of his 1979 convictions. Mallory served 2 years "and was released a second time on discretionary parole in 1987."⁵⁹⁷ Mallory's "[p]robation and parole were revoked once again in 1987 based upon [a] new brandish[ing] firearm[] conviction."⁵⁹⁸ Mallory served 5 years and "was released a third time on discretionary parole in 1992."⁵⁹⁹ Mallory's parole "was revoked in 1994 based upon new convictions for robbery, use of firearm and possession of firearm by convicted felon."⁶⁰⁰

Mallory committed one institutional infraction while incarcerated.⁶⁰¹

C. Parole Examiner Interview and Recommendation

In an interview on February 27, 2020 at the Buckingham Correctional Center, Mallory stated that "[i]f he had just one more chance, could make it, he would take this time 'really serious.'"⁶⁰² The parole examiner noted that Mallory "[m]inimizes earlier violations and/or uses lack of memory as [an] excuse."⁶⁰³ The examiner recommended against releasing Mallory.⁶⁰⁴

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Mallory's case between March 30, 2020 and April 1, 2020.⁶⁰⁵ Member Linda Bryant voted to release Mallory on discretionary parole on March 30, 2020; member Kemba Pradia voted to release Mallory on March 31, 2020; member Sherman Lea voted to release Mallory on April 1, 2020.⁶⁰⁶

The only noted related to victim contact was entered into Mallory's file on June 9, 2020 by VPB employee Shirley Smith, who wrote, "VICTIM INFORMATION: A search of both VINE and CORUS [sic] found no victim registration information."⁶⁰⁷

VPB records list "04/01/2020" as the official parole decision date.⁶⁰⁸ The decision to grant Mallory discretionary parole was certified on "04/10/2020."⁶⁰⁹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Hanover and Louisa Commonwealth's Attorneys on April 10, 2020; e VPB received a signed return receipt from Louisa dated April 20, 2020, and an undated return receipt from Hanover.⁶¹⁰ Mallory was released from Buckingham Correctional Center on July 23, 2020.⁶¹¹

E. Violations of Law

VPB's decision to grant Roger Mallory discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of Mallory's crimes before casting all the necessary votes to release him.

Release of Ronnie Phillips

A. Sentencing Information

The following list outlines Ronnie Phillips' parole-eligible convictions:

1. Harassing Communication, Richmond City GDC, 12 months all suspended, 3/9/1995
2. First-degree murder, Richmond City Circuit, life in prison, 7/8/1993
3. Use of Firearm in Felony, Richmond City Circuit, 2 years, 7/8/1993
4. Assault and Battery, Richmond City Circuit, 12 months, 7/8/1993
5. Assault and Battery, Richmond City Circuit, 12 months, 7/8/1993
6. Grand Larceny, Richmond City Circuit, 1 year, 7/8/1993⁶¹²

B. Facts of Parole-Eligible Offenses

"On the night of 04/09/1993 an off-duty police officer who was working security at a concert in Richmond reported a disorderly crowd outside the coliseum. Units responded and observed a body lying on the street. It was determined by first responders that the victim was pronounced dead. He had been shot in the right hip and back."⁶¹³ During the investigation, "several witnesses came forward including several tips to Crime Stoppers implicating [Ronnie Phillips] as the shooter."⁶¹⁴ Officers determined that there had been "a group of males outside the coliseum who had been seen beating several individuals who had been in and around the coliseum."⁶¹⁵ The murder victim "and his girlfriend had been called by a friend who reported she had gotten sick at the concert and needed a ride home. The victim and his girlfriend came to the coliseum, parked their car, and walked toward the coliseum to find their sick friend. They learned from the first aid station that their friend had been transported to the hospital."⁶¹⁶ The victim and his girlfriend then returned to their vehicle at which point "the victim was stopped by several males who began

assaulting him. The girlfriend in fear ran and heard shots.”⁶¹⁷ Phillips pled not guilty and was convicted by a jury.⁶¹⁸

C. Prior Criminal History and Institutional Discipline

Phillips’ criminal history “begins as [a] juvenile in 1982 with petit larceny, B&E, tamper with auto, concealed weapon, and trespass.” Phillips was committed to a secure facility for “petit larceny, obstruction of justice, aggravated assault, use of a firearm, [] possess cocaine and assault.”⁶¹⁹ Phillips committed 18 infractions while incarcerated, with none since 2010.⁶²⁰

D. Parole Examiner Interview and Recommendation

In an interview on October 29, 2019 at the Augusta Correctional Center, Phillips “blame[d] his crimes and behavior on his environment, Richmond, Church Hill, and Mosby Court were violent places at the time.”⁶²¹ Phillips stated that “[h]e could have made [a] less violent decision. ‘It should not have happened, that is the bottom line, no matter what his mindset was then or the city having him and others on the edge.’”⁶²² The parole examiner noted that Phillips’ COMPAS assessment for general recidivism showed high risk, and his violent recidivism risk was medium.⁶²³ The examiner recommended against releasing Phillips.⁶²⁴

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Phillips’ case between April 7, 2020 and April 12, 2020.⁶²⁵ Chair Adrienne Bennett voted to release Phillips on discretionary parole on April 7, 2020; member Kemba Pradia voted to release Phillips on April 8, 2020; member A. Lincoln James voted to release Phillips on April 9, 2020, and member Linda Bryant voted to release Phillips on April 12, 2020.⁶²⁶

On April 7, 2020, Victim Input Coordinator Lisa Bowen entered a note in CORIS stating “VICTIM NOTIFICATION—Per Chair’s request sent victim notification letter of parole reconsideration with response deadline April 13, 2020.”⁶²⁷ On April 13, 2020, Bowen entered the following note:

VICTIM INPUT - I spoke with [REDACTED], sister of murder victim [REDACTED]. Ms. [REDACTED] was responding to my victim notification letter that the offender was being reconsidered for discretionary parole. Ms. [REDACTED] shared the family is in disbelief that the killer of their son/brother was being reconsidered for parole. What warranted this action? The offender showed no regard for human life and will surely show the same disregard should he be allowed to go free. During the trial he showed no remorse toward the family. He never said he was sorry. Ms. [REDACTED] said she can’t live knowing that this killer is free to move around in society. Ms. [REDACTED] said her parents and brother will be providing additional input in the next 24 hours. They are too devastated to participate in a phone call at this time.⁶²⁸

On April 14, 2020, Bowen entered the following two notes:

VICTIM INPUT - From [REDACTED], brother of murder victim [REDACTED]: I have received the copy of your letter dated April 7th regarding the reconsideration for discretionary parole by the Virginia Parole Board and as an affected family member I want to respectfully submit my statement as a collateral victim of the murder of my brother [REDACTED] the night of April 9, 1993 at the Richmond Coliseum. We as a family have suffered with the senseless slaying of our innocent

family member at the age of 17 who was at the scene only in response to a friend's request for help. He was at the wrong place at the wrong time and did not run away when Mr. Phillips and his group targeted him because he was also with his girlfriend whom he protected and told to run away when he faced the aggressors. The gruesome and merciless details of the murder are in the transcripts of the trial and haunt us every day so I will not refer to them. What concerns and worries us as a family and community is that a dangerous convicted murderer that was sentenced to life in prison be allowed to roam the streets of our city. Today it is extremely easy to find personal information online and we worry for the safety of our family as revenge drives many of these people who have nothing to lose should they be apprehended. There was no indication of remorse or realization that a young life was cut short on the part of Mr. Phillips and we have not been advised otherwise in the prior parole hearings. We as a family request that our safety and the safety of our community be considered when evaluating this case as the danger that Mr. Phillips poses to society is clear, real, and evident. Thank you for letting us present our thoughts and fears to the Board for consideration.⁶²⁹

VICTIM INPUT - From [REDACTED], sister of murder victim [REDACTED]: Thank you for speaking with me and I appreciate your understanding and concern while I was talking and crying. This is upsetting and I hope to let the Parole Board know that after acknowledging my little brother's death this weekend 27 years ago, during the Easter holiday, and then having to acknowledge the fact that our changed lives will be forever now, with this reconsideration. I must let you and them know in writing, that I do not approve and hope for the agreement from the Board. Mr. Phillips was given life in prison, with eligibility for parole after 20 years. In seven extra years, he has not been granted parole. This tells us he is not regretful, has not rehabilitated himself, and would not be an asset to the community should he be allowed back into society. I understand why this reconsideration is taking place, but he should not be reconsidered. For the safety of my family and the community I beg you please do not parole the killer of an innocent person. We are still very much affected and would not want anyone to go through what we have been going through at his hands. Thank you for considering our side.⁶³⁰

On April 20, 2020, Victim Input Coordinator Bowen entered a note in CORIS indicating that "Board members received victim input from victims of homicide victim. No Board member contacted me regarding a change to their vote. Notification was made via email to victim's brother and sister regarding Board's decision to grant."⁶³¹

VPB records list "04/12/2020" as the official parole decision date.⁶³² The decision to grant Phillips discretionary parole was certified on "04/15/2020."⁶³³ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond City Commonwealth's Attorney's Office on April 15, 2020; notes indicate that a return receipt was signed and returned to VPB on April 22, 2020.⁶³⁴ Phillips was released from Augusta Correctional Center on May 26, 2020.⁶³⁵

F. Violations of Law

VPB's decision to grant Ronnie Phillips discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of Phillips' crimes before making "any decision" to grant parole. At the time the victim letters were mailed, Chair

Adrienne Bennett had already voted to release Phillips. Furthermore, VPB's official decision to parole Phillips was rendered a day before victims were given a 6-day deadline to provide input. Despite victim input being given on April 13 & 14, 2020, VPB members received the input on April 20, 2020, after they had all voted to release Phillips, and after the certification of the decision.

Release of Solomon Huiett

A. Sentencing Information

On May 5, 1981, Solomon Huiett was sentenced "in the Richmond Circuit Court for convictions of 3 [counts] robbery, rape and sodomy, receiving 119 years. While in DOC, he was sentenced in the Southampton Circuit Court on 5/24/1982 for crimes against a person, receiving 5 years. On 9/3/1992, [Huiett] was sentenced in the Powhatan County Circuit Court for a conviction of malicious wounding receiving 10 years with 8 suspended."⁶³⁶ Huiett was sentenced on June 12, 1997 "in the Greenville Circuit Court for an unlawful wounding conviction, receiving 6 years. Therefore, the subject is serving an active sentence of 132 years."⁶³⁷

B. Facts of Parole-Eligible Offenses

"At the age of 17, the subject along with his sister (Shirley Huiett) committed series of armed robberies in the city of Richmond during a 2 day time span. During one of those robberies, the female motel clerk was raped and sodomized."⁶³⁸ Huiett fled to South Carolina, where he committed another robbery and was arrested after a high-speed chase.⁶³⁹

While in prison, Huiett incurred additional convictions between for crimes against a person, malicious wounding and unlawful wounding, adding 13 years to his sentence. One victim was an inmate, and the rest were correctional officers.⁶⁴⁰

C. Prior Criminal History and Institutional Discipline

In 1977, Huiett was committed to a juvenile facility in South Carolina for burglary, attempted burglary, receiving stolen property, and larceny.⁶⁴¹ Huiett escaped from custody and was again committed to a South Carolina juvenile facility for numerous burglary and property offenses.⁶⁴² Huiett was released from the juvenile facility in 1980.⁶⁴³ As noted above, Huiett was convicted of additional charges for crimes committed while he was incarcerated between 1982 and 1997.⁶⁴⁴ Huiett committed 27 institutional infractions while incarcerated.⁶⁴⁵

D. Parole Examiner Interview and Recommendation

In an interview on December 5, 2019 at Buckingham Correctional Center, Huiett indicated that he was not "a career criminal" and was simply "a young person who made mistakes."⁶⁴⁶ The examiner noted Huiett's lengthy criminal history but recommended that he be released contingent on the approval of a home plan.⁶⁴⁷

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB members voted on Huiett's case between December 12, 2019 and March 11, 2020.⁶⁴⁸ Member Sherman Lea voted against releasing Huiett on December 12, 2019; member Linda Bryant voted to release Huiett on February 26, 2020; Chair Adrienne Bennett voted to release Huiett on March 11, 2020; member Kemba Pradia voted to release Huiett on March 11, 2020.⁶⁴⁹

On February 26, 2020 member Linda Bryant "[r]equested an SVP screen and Victim

research.”⁶⁵⁰ In a note dated March 31, 2020, Chair Bennett indicated the following:

Victim Research per email from Lisa Bowen: There are no registered victims in VINE. The PSI says [REDACTED]. I’m not sure if that is an error in the report but I ran the name through the database and got no hits. Richmond V/W has no records prior to 2001 so they will not have information for this. The malicious wounding victim is a corrections officer at Greenville Correctional Center named [REDACTED]. I would need Clyde to see if he could find out some information on this CO to get input from him. Let me know if you want me to proceed with trying to find information for the officer.⁶⁵¹

VPB records list “03/11/2020” as the official decision date. The decision to grant Huiett discretionary parole was certified on “04/10/2020.”⁶⁵² VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond City and Powhatan Commonwealth’s Attorney’s Office on April 10, 2020; notes indicate that a return receipt was received by VPB from the Richmond City’s Commonwealth’s Attorney’s Office on April 17, 2020 and the VPB received an undated return receipt from Powhatan.⁶⁵³ Huiett was released from Buckingham Correctional Center on September 8, 2020.⁶⁵⁴

F. Violations of Law

VPB’s decision to grant Solomon Huiett discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to “endeavor diligently” to contact all the victims of Huiett’s crimes before casting all the necessary votes to release him.

Release of Stanley Outlaw

A. Sentencing Information

The following list outlines Stanley Outlaw’s geriatric conditional release-eligible convictions:

1. Attempted Larceny from the Person, Richmond City Circuit, 2 years, 7/13/2007
2. Larceny from the Person, Southampton Circuit, 7 years, 7/5/2007
3. Robbery, Richmond City Circuit, 20 years w/ 8 years suspended, 5/22/2007
4. Attempted Larceny, Richmond City Circuit, 10 years w/ 8 years 6 months suspended, 3/6/2003
5. Assault and Battery, Richmond City GDC, 12 months w/ 6 months suspended, 12/12/2002
6. Larceny, Richmond City Circuit, 10 years w/ 7 years 10 months suspended, 3/19/1997
7. Grand Larceny, Southampton Circuit, 15 years w/ 7 years suspended, 2/23/1989
8. Robbery, Southampton Circuit, 4 years, 9/25/1986
9. Larceny, Isle of Wight Circuit, 5 years w/ 4 years suspended, 7/10/1985
10. Robbery, Southampton Circuit, 5 years w/ 4 years suspended, 6/28/1983
11. Robbery, Southampton Circuit, 4 years suspended, 3/28/1983
12. Grand Larceny, Newport News Circuit, 7 years w/ 2 years suspended, 10/22/1982⁶⁵⁵

B. Facts of Parole-Eligible Offenses

On November 15, 2006, “the female victim, who was taking her child to karate class,

parked her vehicle on East Clay Street. As she walked down the sidewalk, [Outlaw] approached and asked if she had a light. She responded that she did not and continued to walk.”⁶⁵⁶ Outlaw then walked up behind the victim.⁶⁵⁷ “When he was close to her, he grabbed her purse. A brief struggle ensued, the victim was pushed to the ground, the purse straps broke, and the subject raced off with the purse. During an interview that followed, the subject confessed.”⁶⁵⁸

C. Prior Criminal History and Institutional Adjustment

In 1982, Outlaw “was convicted of his first felony. During the twenty-five (25) years that have followed, he has been continually incarcerated or under supervision. Still, he has accrued an additional six felony convictions.”⁶⁵⁹ Outlaw’s criminal “record includes Robbery (4 counts), Larceny from the Person (3 counts), Grand Larceny from the Person, Petit Larceny 3rd, Accessory after the fact to Drug Possession, Assault and Batter, and Probation Violation (4 counts).”⁶⁶⁰ Outlaw committed one institutional infraction while incarcerated.⁶⁶¹

D. Parole Examiner Interview and Recommendation

In an interview on January 30, 2020 at Deerfield Correctional Center, Outlaw stated that “he should be granted parole because, ‘[w]hat I did at that age to come here; I don’t think like I did then or feel the same that I did. I have developed and demonstrated a maturity, backbone and a willingness to turn things around in my life.”⁶⁶² The parole examiner noted that “[Outlaw’s] frequent contact with probation and parole services has done little to stem his use of illegal drugs and his unlawful behavior.”⁶⁶³ The examiner recommended against releasing Outlaw.⁶⁶⁴

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB member Linda Bryant, member Kemba Pradia, and Chair Adrienne Bennett all voted to grant Outlaw geriatric conditional release on April 9, 2020.⁶⁶⁵ There is no indication in VPB records that VPB attempted to identify or contact any of Outlaw’s victims. A note on April 12, 2020 from member Linda Bryant indicates “[r]econsideration due to COVID-19.”⁶⁶⁶

VPB records list “04/09/2020” as the official decision date.⁶⁶⁷ The decision to grant Outlaw geriatric conditional release was certified on “04/10/2020.”⁶⁶⁸ VPB staff mailed a notification of Outlaw’s release to the Southampton Commonwealth’s Attorney on April 10, 2020; the return receipt was undated.⁶⁶⁹ Outlaw was released from Deerfield Correctional Center on May 26, 2020.⁶⁷⁰

F. Violations of Law

No violations found.

Release of Thomas Smith

A. Sentencing Information

On April 10, 1990, Thomas Smith was convicted in the Chesterfield Circuit Court of 2 counts of rape, 2 counts of burglary, grand larceny, and possessing burglarious tools and was sentenced to life in prison plus 134 years.⁶⁷¹

B. Prior Criminal History and Institutional Discipline

Smith’s criminal history is described in full above. Smith committed one institutional

infraction while incarcerated.⁶⁷²

C. Parole Examiner Interview and Recommendation

In an interview on February 12, 2020 at the Lawrenceville Correctional Center, Smith alleged that “he was innocent” and “that he did not commit any of the crimes that he is incarcerated for.”⁶⁷³ Smith further stated that “he is not much different from when he came in” and that “[l]ooking back . . . he would not have done anything different.”⁶⁷⁴ The parole examiner recommended against releasing Smith.⁶⁷⁵

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Smith’s case between February 27, 2020 and March 22, 2020.⁶⁷⁶ Chair Adrienne Bennett voted to grant Smith discretionary parole on February 27, 2020; member Sherman Lea voted to release Smith on March 22, 2020; member Linda Bryant voted to release Smith on March 22, 2020.⁶⁷⁷

On April 8, 2020, Lisa Bowen entered a note into CORIS indicating “VICTIM RESEARCH – No registered victims in VINE. I believe I found the rape victim [REDACTED]. She is showing in the database as deceased [REDACTED].”⁶⁷⁸ The only note in VPB records referencing victim research or notification prior to April 8, 2020 was on December 7, 2006.⁶⁷⁹

VPB records list “03/22/2020” as the official parole decision date.⁶⁸⁰ The decision to grant Smith discretionary parole was certified on “04/10/2020.”⁶⁸¹ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the appropriate Commonwealth’s Attorneys on April 10, 2020; no return receipt was provided.⁶⁸² Smith was released from Buckingham Correctional Center on July 2, 2020.⁶⁸³

E. Violations of Law

No violations found.

Release of Timothy Ward

A. Sentencing Information

On July 28, 1993, Timothy Ward was sentenced to 44 years for 2 counts of robbery, 2 counts of use of a firearm in the commission of a felony, attempted robbery, and abduction.⁶⁸⁴ On August 22, 1985, Ward was sentenced to 10 years for breaking and entering.⁶⁸⁵ On October 14, 1981, Ward was sentenced to 10 years for attempted murder and larceny.⁶⁸⁶ On July 23, 1981, Ward was sentenced to 5 years with 1 year suspended for crimes against a person.⁶⁸⁷ All of these convictions were in the Richmond City Circuit Court.⁶⁸⁸

B. Prior Criminal History and Institutional Discipline

Ward’s criminal history begins at age 16 and includes convictions for trespass, larceny, resisting arrest, disorderly conduct, shoplifting, petit larceny, contributing to the delinquency of a minor, assault, and grand larceny.⁶⁸⁹

Ward served 3 years on the original charges and was paroled in 1983.⁶⁹⁰ Ward’s parole was revoked in 1985 based on the new burglary conviction and his failure to report a change in his employment.⁶⁹¹ Ward served an additional 3 years and was paroled a second time in 1988.⁶⁹² In

1990, Ward's parole was revoked for failing to report to his parole officer and moving without permission.⁶⁹³ Ward was released again on discretionary parole in 1992.⁶⁹⁴ In 1993, Ward's parole was revoked a third time for new convictions, failing to report to his parole officer, failing to follow instructions, and moving without permission.⁶⁹⁵

Ward committed 6 institutional infractions while incarcerated.⁶⁹⁶

C. Parole Examiner Interview and Recommendation

In an interview on October 23, 2019 at the State Farm Correctional Center, Ward stated that he was "not interested in parole. I came today out of respect, but I do not want parole."⁶⁹⁷ Ward also signed a "PB-16 Waiver indicating he is not interested in discretionary parole in 2019."⁶⁹⁸ Ward indicated that he only had 7 months left on his sentence.⁶⁹⁹ The examiner recommended against releasing Ward.

D. Parole Board Deliberations and Victim and Prosecutor Contact

VPB members voted on Ward's case for geriatric conditional release between April 9, 2020 and April 14, 2020.⁷⁰⁰ Member Linda Bryant voted to release Ward on April 9, 2020; member Sherman Lea voted to release Ward on April 10, 2020; member A. Lincoln James voted to release Ward on April 14, 2020.⁷⁰¹

On April 15, 2020, Victim Input Coordinator Lisa Bowen entered a note into CORIS stating "VICTIM RESEARCH COMPLETE – There is one anonymous phone number registered in VINE. I am not able to make a connection to the victim/offender. It is showing as active in the database. Richmond V/W has no information prior to 2001. No further research is necessary. Ready to certify."⁷⁰²

VPB records list "04/14/2020" as the official decision date.⁷⁰³ The decision to grant Ward geriatric conditional release was certified on "04/27/2020."⁷⁰⁴ VPB staff mailed a notification of Ward's release to an unidentified Commonwealth's Attorney's office on April 27, 2020; notes indicate that a return receipt was not received by VPB.⁷⁰⁵ Ward was released from State Farm Correctional Center on May 26, 2020.⁷⁰⁶

E. Violations of Law

No violations found.

Release of Vincent Martin

A. Sentencing Information

On June 12, 1973, Vincent Lamont Martin was convicted in Henrico Circuit Court of robbery and possession of a sawed-off shotgun and was sentenced to 30 years with 6 years suspended.⁷⁰⁷ On December 18, 1980, Martin was convicted in Richmond Circuit Court of capital murder, robbery, and two weapon offenses, receiving a sentence of life plus nine years in prison.⁷⁰⁸

B. Facts of Parole-Eligible Offenses

On November 13, 1979, three men entered a 7-Eleven "wearing black stocking caps and gloves, carrying weapons. One of the individuals was armed with a silver pistol [and] said, '[g]ive it up.' Another individual was armed with a dark blue pistol [and] came behind the counter. The

[employee] opened the cash register and stepped back. The third person was armed with a rifle, [and] stood at the entrance of the store.”⁷⁰⁹ The third person asked the employee, “[y]ou want to die?”⁷¹⁰ The second individual then told the employee to go into the store’s backroom.⁷¹¹ The employee went to the back of the store but was not able to open the store’s safe.⁷¹² The employee “and the second person returned to the front of the store.”⁷¹³ \$20.00 in cash was taken from the store and the three individuals “left the store together.”⁷¹⁴ The store employee then locked the store and notified police of what had happened.⁷¹⁵

A witness who was stopped at an intersection “observed a police car in pursuit of a blue Ford car. After observing several turns of the car traveling rapidly, the witness [] heard shots and observed at least three men in the blue auto.”⁷¹⁶

At 2:06 a.m. on November 13, 1979, the lieutenant in charge of Richmond police officer Michael Connors’ platoon “heard Officer Connors announce on the radio that he was about to stop a vehicle at an intersection. The Lt. proceeded for assistance to where Officer Connors was and observed a police car with red lights stopped.”⁷¹⁷ Upon arriving at the scene, the lieutenant “saw the figure of a man lying 8 to 10 inches in front of the police car. The Lt. gave a distress signal over radio, and then approached the officer. He noticed that the officer was injured, could not breathe well, and observed a puncture mark on the victim’s forehead, lying in a pool of blood. The officer was unconscious and did not respond to the Lieutenant’s questions.”⁷¹⁸ The lieutenant observed that “Officer Connors’s revolver was strapped in the holster when found at the scene.”⁷¹⁹

The medical examiner “advised that she performed the autopsy on Officer Connors after his admission on 11/13/1979 to [the Medical College of Virginia] for several gunshot wounds to the head.”⁷²⁰ According to the medical examiner, Officer Connors suffered “five gunshot wounds: one penetrated just in front of the right ear, one more in front of the right ear, one in the right lower face region, one at the bridge of the nose, and one penetrated the right neck region.”⁷²¹ The bullet that “entered the neck[] was recovered in the left shoulder, which [the examiner] turned over to a Detective. The other four bullets exited the head.”⁷²² The medical examiner determined that “both the wound slightly in front of the right ear and the wound in the neck were lethal, and reported that the cause of Officer Connors’ death was gunshot wounds to the head.”⁷²³ The medical examiner noted that “no defense wounds were found during examination.”⁷²⁴ The medical examiner also noted that Officer Connors’ “face was on the pavement at the time the bullets exited the left side of his head, as demonstrated from the gravel abrasions seen in the photographs” and “that the powder burn marks indicated that the three wounds to the face occurred at the range of several inches and that the wound to the bridge of the nose occurred at the range of one-half inch.”⁷²⁵

An employee of a state forensic laboratory “received the sealed bullet recovered from Officer Connors’ body and received three individually sealed b[u]llet fragments recovered at the scene. His analysis revealed that two of the three bullet fragments and the bullet recovered from the body, all being plain lead bullets, were fired from the same firearm. One bullet fragment was too small to test.”⁷²⁶ The forensic analyst also analyzed “the cartridges seized from the blue Ford vehicle and the uniform shirt of Officer Connors, in addition to the evidence analyzed on November 15, 1979.”⁷²⁷ The analyst observed that “the seven cartridges were loaded with plain lead bullets, four being of the semi-wad cutter type and three of the round-nose type.”⁷²⁸ The analyst determined that “a chemical examination for lead residue found indicated that the barrel of the firearm used was no further than 36 inches from the victim[’]s arm.”⁷²⁹

Martin’s codefendant Jeffrey Short testified that he “was with [Martin], Robert Neblett and

Ronnie Faulk on the evening of November 12, 1979 to the early hours of November 13, 1979.”⁷³⁰ After playing pool at a restaurant, the four men left, and “Faulk asked him to stop the vehicle as they approached the 7-11.”⁷³¹ Faulk, Neblett, and Martin left the car and went into the 7-Eleven.⁷³² During this time, Faulk, Neblett, and Martin committed the robbery described above.

The three men returned to the car, and Short “drove away and proceeded to take Faulk home. [Short] stated that he saw a police car when he left the 7-Eleven Store and noticed that the police car was following them.”⁷³³ Martin “told him not to stop, however, Short did pull over about five blocks from the 7-11 after turning right and noticing that the officer was still in pursuit.”⁷³⁴ Short “reached for his driver’s license as the officer exited the police car and began to approach Short’s vehicle. Short testified that [Martin] exited the right passenger side of the car, and that he immediately heard a shot. He stated that he observed the police officer lying down at the tail end of his vehicle.”⁷³⁵ Short “heard four more shots a few seconds after the first shot, and that he observed [Martin] bend at the waist, and with his right arm extended, and shoot the police officer at the range of one and one-half feet. Short stated that he saw no one else and that he did not observe the officer trying to get away.”⁷³⁶ Martin returned to the car, saying, “Drive man, drive.”⁷³⁷

Neblett and Faulk also testified at Martin’s trial. “Testimony from both indicated that Short remained in the car as Neblett, Faulk and [Martin], wearing stocking caps and gloves and carrying weapons, entered the 7-11, held up the employee, and [r]obbed the store.”⁷³⁸

Neblett stated that Martin “took the money and took the employee to the back of the store as [Neblett] and Faulk waited in the front of the store. Faulk was armed with a shotgun, [Martin] had a black revolver, and Neblett had a pistol. Neblett indicated that [Martin] exited the car when stopped by the police officer and he heard a shot. He stated that he observed [Martin] fire more shots at the officer, who was lying down at the back of the car.”⁷³⁹

“During Faulk’s testimony, the Commonwealth introduced a .22 caliber rifle. Faulk identified the weapon as that which [Martin] asked for and that which he gave to [Martin] prior to the Robbery. Faulk testified that during the Robbery, he carried the rifle, and that [Martin] and Neblett had handguns.”⁷⁴⁰ According to Faulk, he “stayed at the door of the 7-11 Store, Neblett stood behind the counter, and [Martin] took the employee to the back of the store. Faulk stated that after Short stopped his vehicle, [Martin] exited, and [Faulk] heard a shot. He added that he observed [Martin] walk towards the back of the car and look down; however, he did not see the police officer while lying on the street.”⁷⁴¹

Deborah Stokes, Martin’s girlfriend, stated that after the robbery and shooting, on November 15, 1979, she and Martin were watching television and “heard the 7-11 and shooting story news.”⁷⁴² During the news broadcast, “[t]hey heard ‘Butch’ Martin’s name . . . and Stokes asked [Martin] about the incident.”⁷⁴³ Martin stated, ‘All over \$20.00.’ She then asked [Martin] if he shot the police officer, and Martin responded, ‘Either I kill him or he kill me.’⁷⁴⁴

A Richmond police officer “responded to the crime scene and the morgue to gather physical evidence. He advised he searched the car and took fingerprints.”⁷⁴⁵ The officer related that “one identifiable print [was] taken from the interior ceiling light of the car and matched the left thumbprint of [Martin].”⁷⁴⁶

C. Prior Criminal History and Institutional Discipline

On June 18, 1971, Martin “was found not innocent of Attempted Murder by the Richmond

Juvenile and Domestic Relations Court and received a suspended commitment to the State Bureau of Welfare and Institution. He was placed on probation.”⁷⁴⁷

Martin was released on parole supervision on August 10, 1979 after his convictions of robbery and possession of a sawed-off shotgun.⁷⁴⁸ However, on “November 14, 1979, a Parole Violation warrant was issued for his failure to report to the District Office on November 13, 1979 and for his moving from his mother’s residence without his parole officer’s permission.”⁷⁴⁹

Martin committed 11 institutional infractions while incarcerated, including 3 assaults, engaging in sexual acts, delaying or hindering an employee in the performance of their duty, and gathering in a threatening manner.⁷⁵⁰

D. Parole Examiner Interview and Recommendation

In an interview on March 31, 2020 at Nottoway Correctional Center, Martin “maintain[ed] that he was not there at the time the officer was killed, that the police told his codefendants what to say and that he does not know to this day, who pulled the trigger. He stated that the reason that the three other people testified against him was that they figured he would go on the run, not come back, and they would never have to testify.”⁷⁵¹ Martin further stated that he was a “victim.”⁷⁵² Martin claimed that he “knows that he should be released . . . as h[e] was falsely accused.”⁷⁵³

The parole examiner wrote that Martin

was convicted of Capital Murder. He was originally sentenced to death, which was overturned on a technicality. He was re-tried and found guilty, so therefore 24 jurors found that he committed the brutal slaying of Officer Connors. He was on parole for a Robbery with a Sawed-Off shotgun at the time and had only been out 92 days when the instant offense took place. He also had a prior conviction for Attempted Murder. He has given inconsistent statements over the years, telling this Examiner he was not present the night of the offense and that he does not know who pulled the trigger and telling Investigator King, “but I was with the other guys when it happened.” Investigator King asked the subject “if you were not the shooter, you must know who shot the officer,” to which he replied, “My mother raised me not to snitch.” He denied saying that to this Examiner. While he seems to have matured over the years, psychological reports showed a young, immature person back when the offenses occurred, stating, “He is easily intimidated, and proving himself as a man is an issue of some importance of him.” He took no responsibility at all, however claimed he was “remorseful.” There is major victim opposition from the victim’s family as well as various others. There [are] too many inconsistencies in the subject’s statements over the years as well as the above-mentioned, therefore, parole is not recommended.⁷⁵⁴

E. Parole Board Deliberations and Victim Contact

On February 27, 2020, at Chair Adrienne Bennett’s request, Victim Input Coordinator Lisa Bowen began the process of identifying and contacting Officer Connors’ family. Bowen described her fears about the case in an email to a VPB investigator:

From: [Bowen, Lisa](#) on behalf of [Bowen, Lisa <lisa.bowen@vpb.virginia.gov>](#)
To: [Clyde King](#)
Subject: Offender Vincent Martin DOC Inmate #1156982
Date: Thursday, February 27, 2020 11:02:16 AM

Good morning Clyde:

Adrienne wants to do victim notification for this offender. He killed a police officer (which makes my stomach hurt). She said I did victim research on him already but I can't find my notes. Do you have anything on the victim? I'm going to need your help on this one. I am very nervous.

L.

Lisa A. Bowen

On March 6, 2020, Victim Input Coordinator Bowen emailed Chair Bennett to inform her that she had spoken with Officer Connors' sister, who was shocked to learn that Vincent Martin was still alive. Bowen informed Bennett that Officer Connors' sister had asked to speak with a Board member. Multiple scheduling emails were exchanged between Officer Connors' family and VPB staff in the following two weeks.

Victim Input Coordinator Lisa Bowen emailed Chair Bennett on March 18, 2020 to inform her that she had received 11 emails opposing Martin's release the previous night. Bowen informed Bennett that Martin had not yet been scheduled for a parole interview, stating, "I would hate to have stirred up all these victims and not have him go through a parole consideration in the near future." Chair Bennett replied as follows:

From: [Bennett, Adrienne](#) on behalf of [Bennett, Adrienne <adrienne.bennett@vpb.virginia.gov>](#)
To: [Bowen, Lisa](#)
Subject: Re: Opposition emails received this morning regarding offender Vincent Martin DOC Inmate #1156982
Date: Wednesday, March 18, 2020 8:26:29 AM

I was just going to vote him and not interview. His interview was scheduled in. December. I don't know what to do now. I will talk to Tracy. Has anyone registered in Vine?

VPB administrator Tracy Schlagel wrote in a March 18, 2020 email to Chair Bennett that she had received multiple calls from Officer Connors' family, who wished to schedule a "Board Appointment." Chair Bennett replied, "They can do a phone Board Appointment with me - but must be before April 5 if at all possible. Only actual victims get a Board Appointment."

Chair Bennett conducted a telephone appointment with Officer Connors' family on March 27, 2020. In a later statement, Bennett claimed that "The victims, for the most part, were angry and, at times, threatening." Following the appointment, Bennett emailed two other Board members to tell them that the victim input did not change her mind, and that any VPB staff who were caught talking about the case to others would be immediately terminated:

From:	Bennett, Adrienne on behalf of Bennett, Adrienne <adrienne.bennett@vpb.virginia.gov>
To:	Linda Bryant ; Kemba Pradia
Subject:	Fwd: Victim telephone Board appointment - offender Vincent Lamont Martin DOC Inmate #1156982
Date:	Friday, March 27, 2020 2:11:14 PM

FYI -

I am still a grant. The staff is talking a lot (hopefully only amongst themselves) about why we should not grant Vincent. My message to them has been - talk about it only amongst yourselves any other communication outside of the PB - including to DoC - is grounds for immediate termination and you don't get a vote because you are not a PB Member.

Adrianne L. Bennett

On March 30, 2020, Chair Bennett ordered the substitution of Martin's previous parole interview as if it were the current interview. The parole interview described above in Section D reflects the actual substance of Martin's 2020 interview, not the substituted version ordered by Chair Bennett. Bennett's order was reflected in an email from VPB administrator Tracy Schlagel to the parole examiner, Mindy Applewhite:

From: Schlagel, Tracy < tracy.schlagel@vpb.virginia.gov >
Date: Mon, Mar 30, 2020 at 3:13 PM
Subject: Vincent Martin
To: Applewhite Mindy adr35595 < mindy.applewhite@vpb.virginia.gov >
Cc: Adrienne Bennett < adrienne.bennett@vpb.virginia.gov >

Mindy:

Per Adrienne's request, please copy and paste last years' report for Vicent Martin and submit it after your interview tomorrow at 1:30 p.m. Any notes you wish to add, please add them in a Parole Board note.

Thanks,
Tracy

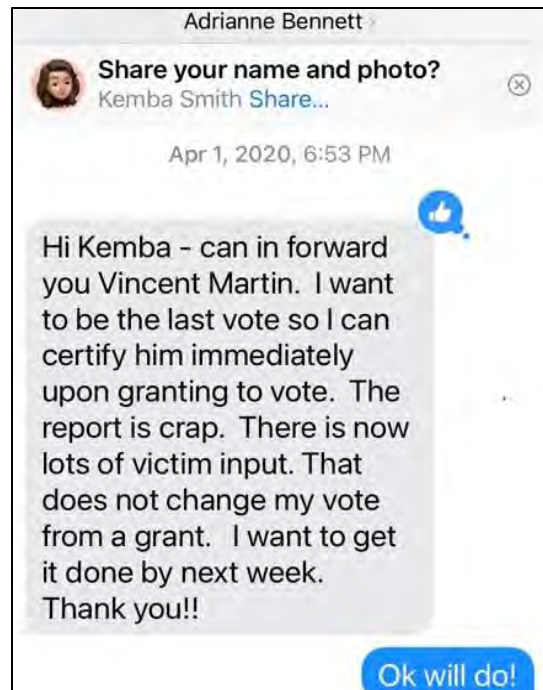
--

Tracy Schlagel
Parole Board Administrator

After reviewing this email, we discovered that Chair Bennett gave a contradictory statement to Nixon Peabody investigators. Bennett asserted that "I emailed Ms. Schlagel that it would be "fine" if the examiner wanted to use the previous year's report and put anything she

wishes in a Parole Board Note. **I never instructed anyone to cut and paste from a previous year's report . . .**" (emphasis added)

On April 1, 2020, Bennett texted VPB member Kemba Pradia to impress upon her the importance of moving Martin's case along, also stating her disregard for the input Officer Connors' family had provided VPB:



The following day, Chair Bennett emailed her opinions on Martin's case to VPB member A. Lincoln James:

From: [Bennett, Adrienne](#) on behalf of [Bennett, Adrienne](#) <adrienne.bennett@vpb.virginia.gov>
To: [Alexander James](#)
Cc: [Laura Hall](#)
Subject: Fwd: Martin, Vincent L 1156982
Date: Thursday, April 2, 2020 10:56:15 AM

HI A Lincoln - You will have **Vincent Martin** and **Hugh Brown** in your queue very shortly.

I will be voting to grant Vincent Martin last. If you vote to grant him you will be his second vote. We discussed Vincent Martin in November and all agreed that we would grant him parole this time around. The Examiner's report is garbage in my opinion. There is alot support as you can see - but I have stirred up a hornet's nest with the victims. I want to get his case certified while I am still here so I can take the hit. Vincent Martin was railroaded. I am finishing up reading his trial transcripts and the injustice that was committed on Martin is profoundly disturbing.

VPB voted on Martin's case between April 2, 2020 and April 9, 2020.⁷⁵⁵ Member Kemba Pradia voted to release Martin on discretionary parole on April 2, 2020. Member A. Lincoln James voted to release Martin on April 2, 2020. Member Sherman Lea voted to release Martin on April

3, 2020. On April 3, 2020, Victim Input Coordinator Bowen emailed VPB members Sherman Lea, Linda Bryant, and A. Lincoln James the following concerns:

I hope you and your loved ones are safe and well. I wanted to reach out to you regarding my concerns about the potential granting of parole for this offender. The offender is now in voting status in your queue. The offender murdered a 23-year-old Richmond Police Officer. The offender has provided inconsistent testimony over the years regarding his role in the murder. He admitted to being the shooter, then said he was there but not the shooter, and now says he was in an apartment and not present during the execution of the police officer. As recent as last year he told Investigator King a different story about his role. The victim's family has provided very impactful opposition. One of the victim's sisters said during their telephone appointment with Adrienne that she will post on every social media site that the Virginia Parole Board has let out a "cop killer" if the Board moves to grant. I know Adrienne feels strongly about the offender being granted. I promised the family that I would advocate on their behalf. I know you will take their heartache and concerns into consideration. Thank you for allowing me to share this information with you.

Chair Bennett cast the final necessary vote to grant Martin discretionary parole on April 9, 2020.⁷⁵⁶ VPB records list "04/09/2020" as the official parole decision date.⁷⁵⁷ The decision to grant Martin discretionary parole was certified on "04/10/2020."⁷⁵⁸

On April 13, 2020, an email from retired Richmond police officer Tom MacKnight, who had served as a police officer alongside Officer Connors, drew the attention of Chair Bennett, incoming Chair Tonya Chapman, and Deputy Secretary of Public Safety and Homeland Security Nicky Zamostny. In an email to Zamostny and Chapman, Chair Bennett responded as follows:

On Mon, Apr 13, 2020 at 8:47 AM Bennett, Adrienne <adrienne.bennett@vpb.virginia.gov> wrote:
If you wish to discuss - let me know. We have already received input from this former police officer (who I am told was not a reputable police officer).

Chair Bennett went on in the same email to claim that "There was no justice for young Officer Connor (sic) or Vincent Martin, who has now served over 40 years for a crime he very likely did not commit." Bennett went on to write that "This is not a "Covid-19 grant" or an "on my way out grant" this has been in the makings for years and was decided in November (after [Jens] Soerings release) by the Parole Board that would not and could not say "no" to Martin again." Bennett concluded the email by expressing regret that VPB had to contact Officer Connors' family: "We unfortunately had no choice due to Virginia Code Section 53.1-155 once we located them in [REDACTED], to contact the victims ([REDACTED])."

Following Chair Bennett's departure, Martin's release date was delayed several times due to the then-pending OSIG investigation and so that VPB could provide prosecutor notification. Chair Tonya Chapman noted her desire to keep Martin's release quiet to avoid protests:

From: [Nicky Zamostny](#)
To: [Chapman, Tonya \(VPB VFE\)](#)
Subject: Re: 21 Day Notification prior to release.
Date: Friday, April 17, 2020 3:57:38 PM

Sounds great. Thanks, Tonya!

On Fri, Apr 17, 2020 at 3:55 PM Chapman, Tonya <tonya.chapman@vpb.virginia.gov> wrote:

The code says 21 business days, so I believe it will have to be pushed back. That is probably a good thing if we can keep his release date quiet so there will not be any protestors outside the facility when he is released.

On May 18, 2020, before Martin was released, David Booth emailed the Board to relate how Vincent Martin had shot him in the face years before murdering Officer Connors. Booth wrote that he had identified Martin in the courtroom during Martin's capital murder trial as the man who previously shot him years earlier, but the case was not prosecuted due to Martin's pending capital murder. Booth stated that he was coming forward now because "Martin will be a danger to society if he is release[d]." Chair Tonya Chapman's response was as follows:

From: [Chapman, Tonya](#) on behalf of [Chapman, Tonya](#) <tonya.chapman@vpb.virginia.gov>
To: [David Booth](#)
Cc: [Lisa Bowen](#); [Tracy Schlagel](#)
Subject: Re: NEW VICTIM OF VINCENT LAMONT MARTIN
Date: Tuesday, May 19, 2020 12:41:47 PM

Hello Mr. Booth.

Thank you for your email. It is unfortunate that you had to experience such a tragic event; however, pursuant to § 19.2-11.01, you are not classified as a 'victim' in the case that Martin was convicted of. Therefore, we can not accommodate your request for a Board hearing.

Thanks

While VPB denied Vincent Martin's other victim the opportunity to provide input on his release, Chair Bennett actively solicited support for Vincent Martin's release as voting was ongoing. In one example of her outreach, Bennett gave her personal cell phone number to ex-parolee Geronimo Muhammad and asked Muhammad to call or text her so she could ask him "a few questions about Vincent Martin's co-defendants."

E-Mail From : Bennett, Adrienne: adrienne.bennett@vpb.virginia.gov
E-Mail To : geronimomuhammad[REDACTED]
Subject : Early Discharge Certificate
Date Received : 2020-04-05 20:03:50 EDT
Date Sent : 2020-04-05 20:03:50 EDT
Message (Plaintext) : Hi Mr. Muhammad -

I wanted to provide you with a copy of your Early Discharge Certificate from parole supervision.

You will be contacted by P&P at some point, but given the circumstances with the pandemic and my imminent departure, out of my respect for you, I wanted you to not have to wait.

I wish you well.

(I have a few questions about Vincent Martin's co-defendants since reading the transcript. If you are able and willing to talk, please email me your phone number and let me know if there is a good time to call you. You can also text me on my cell at [REDACTED] if you wish.)

Adrienne L. Bennett
Chair
Virginia Parole Board
6900 Atmore Drive

Geronimo Muhammad, whose early discharge from parole supervision is detailed in a separate section of this report, was convicted of two counts of attempted capital murder for shooting a police officer while fleeing the scene of a robbery.

We discovered further evidence of Chair Bennett's personal solicitation of information about Martin in an email between Chair Tonya Chapman and OAG attorneys following Bennett's departure from VPB. An OAG attorney raised questions about emails VPB had received from parolee Joseph Giarratano, including a suggestion that Giarratano had supplied Chair Bennett with the transcripts of Vincent Martin's trial. Chair Chapman replied that "Adrienne verified that the transcripts came from him [Giarratano] and that he would be asking to retrieve them." In an email to Chair Tonya Chapman, a VPB investigator later recalled how "Another time Adrienne told me she had read the trial transcript and was convinced that Vincent Martin was innocent. I told her that she needed to read the entire police investigation before she made that call because you may have 10 witnesses to a crime, but only put one on the stand to testify."

We further discovered that Chair Bennett claimed that Vincent Martin personally told her who Officer Connors' "real killer" was. Following a 2018 panel discussion at Nottoway Correctional Center, Chair Bennett met with Martin. Bennett wrote that "I spoke very briefly with Vincent Martin that evening. He blurted out who he believed was the shooter, but I did not know enough about the facts of the case to retain what he said. I was open to learning more about the facts of the case but I could not comprehend how he would know who the shooter was if he wasn't present during the commission of the crime." During an interview, Judge Bennett refused to answer our question about the name of the person Martin alleged was the real shooter.

We fully reviewed 538 individually identifiable emails sent to VPB between April and June 2020 in opposition to VPB's decision to release Vincent Martin. The opposition came from 39 different Virginia localities, as well as citizens living in Florida, Georgia, Indiana, Michigan, New Hampshire, New York, Pennsylvania, Texas, and West Virginia.

We also discovered that following Chair Bennett's departure from the Board, OAG advised VPB that existing Board policy and procedure permitted the Board to rescind Vincent Martin's parole based on significant victim opposition. However, VPB took no such action.

VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Henrico and Richmond City Commonwealth's Attorneys on April 10, 2020; a signed return receipt was received from both Henrico and Richmond City on April 17, 2020.⁷⁵⁹ Martin was released from Nottoway Correctional Center on June 10, 2020.

F. Violations of Law

VPB's decision to grant Vincent Martin discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact Martin's victim's family before making "any decision" to release him. VPB decided to release Martin months before any victim contact. In Chair Bennett's own words, "We discussed Vincent Martin in November [2019] and all agreed that we would grant him parole this time around." Bennett confirmed the prejudgment of Martin's case in a subsequent email to a Northam administration official by stating that Martin's release had "been in the makings for years" and was decided in November 2019, long before VPB attempted to contact the victim's family.

Release of Walter Gray

A. Sentencing Information

On May 5, 1987, Walter Gray was sentenced by the Stafford Circuit Court to 110 years after being convicted of rape, forcible sodomy, and abduction occurring on December 1, 1986.⁷⁶⁰

B. Facts of Parole-Eligible Offenses

The "victim's father reported to the Stafford County Police his daughter, [REDACTED], a newspaper carrier for the Washington Post was missing. Upon checking her route, he had discovered that the remainder of her papers had not been delivered." An officer with the Stafford County Police Department observed "the victim's vehicle northbound on U.S. 1, near the courthouse. At that time, the victim's car was stopped and the victim advised she had been abducted, raped and forced to commit sodomy. Ms. [REDACTED] was able to give a complete description and location of her assailant."⁷⁶¹

C. Prior Criminal History and Institutional Discipline

As a juvenile, Gray was arrested for auto theft and placed on probation.⁷⁶² As an adult, Gray was convicted of petit larceny, concealed weapon, escape from custody, and drunk in public.⁷⁶³ Gray committed 9 institutional infractions while incarcerated.⁷⁶⁴

D. Parole Examiner Interview and Recommendation

In an interview on March 26, 2020, Gray stated that he believes that he was not previously paroled because he did not have a stable home plan. Gray felt it would be "a punishment to deny him parole because he is homeless."⁷⁶⁵ The parole examiner observed a previous file note regarding Gray's swastika tattoo despite Gray having denied any gang affiliation.⁷⁶⁶

Along with the serious nature of the offenses, the parole examiner noted that Gray had become frustrated over the lack of an answer from VPB, aggressively venting his frustration to a

prison counselor.⁷⁶⁷ The examiner recommended releasing Gray.⁷⁶⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB members voted on Gray's case between March 31, 2020 and April 6, 2020.⁷⁶⁹ Chair Adrienne Bennett voted to release Gray on discretionary parole on March 31, 2020; member Sherman Lea voted to release Gray on April 1, 2020; member Kemba Pradia voted to release Gray on April 6, 2020.⁷⁷⁰

A note from Victim Input Coordinator Lisa Bowen on April 25, 2019 indicated "VICTIM RESEARCH - No victims in VINE/CORIS. The victim is [REDACTED]. She was abducted and raped on 12/21/1986 according to the PSI. Her father's name is [REDACTED]. I got 19 hits for the father and two hits for the victim. I am going to reach out to Stafford V/W to see if they have any information. There is no victim input in the summary report."⁷⁷¹ On May 15, 2019, Bowen noted that "Stafford V/W confirmed they have no victim contact information. No further research is necessary."⁷⁷² Then on July 24, 2019, Bowen noted that she "[m]ailed victim notification letter to possible address for abduction/sexual assault victim."⁷⁷³ This was followed up by an August 28, 2019 note from VPB employee Dawn Winecoff, who wrote, "No response received from rape victim, [REDACTED], as of today."⁷⁷⁴ Finally, VPB employee Crystal Noakes noted on October 23, 2019 "Victim Research Complete – No response from victim."⁷⁷⁵

VPB records list "04/06/2020" as the official parole decision date.⁷⁷⁶ The decision to grant Gray discretionary parole was certified on "04/10/2020."⁷⁷⁷ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Stafford Commonwealth's Attorney's Office on April 10, 2020; an undated return receipt was provided to VPB.⁷⁷⁸ Gray was released from Augusta Correctional Center on July 30, 2020.⁷⁷⁹

F. Violations of Law

No violations found.

Release of Wilsean Wright

A. Sentencing Information

Witsean Wright received 78-year sentence for murder in the commission of robbery, robbery, use of a firearm, and possession of heroin with intent to distribute on June 29, 1994 in Petersburg Circuit Court.⁷⁸⁰

B. Facts of Parole-Eligible Offenses

"On 2/25/1993, the four (4) perpetrators went out during the nighttime with plans to rob a drug dealer. [Wright] and Rambert shot the two (2) victims in the head, killing them both. Police responded to find two victims, [REDACTED], age 22, and [REDACTED], age 23, dead at the scene. Both were face down on the floor of an upstairs bedroom. [REDACTED] was shot twice in the head; [REDACTED] was shot 3 times in the head. The perpetrators placed pillows over their heads and shot through the pillows. [Wright] took a canister containing 125 bags of marijuana and \$20."⁷⁸¹

"On 4/02/1993, in the City of Petersburg, the Petersburg police w[ere] patrolling Halifax and South Avenue. They observed the defendant rolling what appeared to be a marijuana joint. [They] called the defendant over to the unmarked car."⁷⁸² The officers then "observed ten bags that appeared to be heroin dropped on the ground. The defendant was arrested for Possession of

Marijuana (.151 grams). The [other] substance returned positive for heroin. The defendant admitted that he bought a bundle of heroin. At the police station, the defendant admitted that he bought ten bags and sold six bags before his arrest.”⁷⁸³

C. Prior Criminal History and Institutional Discipline

Wright’s criminal history began in 1993 and includes convictions for possessing marijuana and traffic offenses.⁷⁸⁴ Additionally, Wright incurred an infraction for possessing a cellphone in May 2018, and he was removed from employment in November 2019 after another cellphone was found in his cell.⁷⁸⁵ Wright committed 38 institutional infractions while incarcerated.⁷⁸⁶

D. Parole Examiner Interview and Recommendation

In an interview on January 22, 2020 at Sussex II State Prison, Wright told the examiner that his “crime was horrific and I acknowledge what I did and I take full responsibility. I deeply regret my thoughts and actions as an 18-year-old child.”⁷⁸⁷ The examiner noted that the incident with the cell phone “may indicate that the subject needs to serve more of the imposed sentence to develop needed decision-making skills. Parole is not recommended due to the serious nature and circumstances of the crimes. The subject needs to serve more of the imposed sentence and needs to establish a longer period of stable adjustment prior to any grant consideration. The subject would also benefit from further institutional programming to include Victim Impact training.”⁷⁸⁸

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB members voted on Wright’s case between April 4, 2020 and April 9, 2020.⁷⁸⁹ Member Linda Bryant voted to release Wright on April 4, 2020; member Kemba Pradia voted to release Wright on April 6, 2020; member A. Lincoln James voted to release Wright on April 9, 2020.⁷⁹⁰

Notes in CORIS indicate that the victim’s family had vocally opposed Wright’s release since 2002.⁷⁹¹ Victim Input Coordinator Lisa Bowen noted that the victim’s twin brother and mother provided input several times in 2019 indicating their opposition to Wright’s release.⁷⁹²

VPB records list “04/09/2020” as the official decision date.⁷⁹³ The decision to grant Wright discretionary parole was certified on “04/15/2020.”⁷⁹⁴ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Richmond City Commonwealth’s Attorney’s Office on April 16, 2020; VPB received a return receipt dated April 22, 2020.⁷⁹⁵ Wright was released from incarceration on May 26, 2020.⁷⁹⁶

F. Violations of Law

No violations found.

G. Adjustment to Supervision

On September 2, 2021, Wright was arrested in Henrico County for distributing or possessing with intent to distribute more than 5 pounds of marijuana; the offense occurred on January 26, 2021.⁷⁹⁷ Wright was part of a “three-year investigation into drug trafficking and money laundering” that culminated in “14 arrests and the seizure of ‘significant quantities’ of cocaine, heroin and marijuana as well as cash and financial documents.”⁷⁹⁸ Wright’s case is set for a jury trial in April 2023.⁷⁹⁹

Release of Zachary Guion

A. Sentencing Information

On December 18, 1992, Zachary Guion was convicted in Newport News Circuit Court of murder, maiming, and 2 counts of use of a firearm in the commission of a felony, receiving a sentence of 99 years with 30 suspended.⁸⁰⁰ On February 5, 1997, Guion was convicted in Nottoway Circuit Court of assault and battery and was sentenced to 10 days in jail.⁸⁰¹

B. Facts of Parole-Eligible Offenses

On February 24, 1992, “police responded to the scene of a reported shooting. They found one male victim dead on the scene suffering from apparent gunshot wounds to the head. A second black male, age fourteen, was also a victim of a gunshot wound where he was shot in the left arm.”⁸⁰² Witnesses at the scene and the surviving victim identified Guion as the shooter.⁸⁰³ At trial, Guion testified that he began drinking on the day of the shooting at 9:00 in the morning, then later used marijuana and LSD, and did not really remember anything about the incident.⁸⁰⁴

C. Prior Criminal History and Institutional Discipline

Guion’s juvenile record began in 1988 and includes adjudications for shoplifting, robbery, petit larceny, tampering with a vehicle, destruction of property, and probation violations.⁸⁰⁵ In 2016, Guion was transferred between prisons “following a Simple Assault on Offender infraction.”⁸⁰⁶ Guion “also incurred another Assault on Offender infraction in 2017.”⁸⁰⁷ Guion committed “43 total infractions including multiple indecent exposure[s], sexual advances, fighting and assault charges.”⁸⁰⁸

D. Parole Examiner Interview and Recommendation

In an interview on March 2, 2020 at the Deerfield Correctional Center, Guion stated that “since Virginia does not have a ‘self-defense’ law, he had to plead not guilty because of the circumstances. He maintains he was not the aggressor.”⁸⁰⁹ Guion explained that the “victims were doing stupid stuff like ripping people off, he had separated himself from hanging with them, they took exception to his change, tried to kill him and ‘[Guion] shot back defending [himself].”⁸¹⁰ The parole examiner noted concerns about Guion’s offenses but recommended that he be released.⁸¹¹

E. Parole Board Deliberations and Victim and Prosecutor Contact

VPB voted on Guion’s case between March 28, 2020 and March 31, 2020.⁸¹² Member Linda Bryant voted to grant Guion discretionary parole on March 28, 2020; member A. Lincoln James voted to release Guion on March 31, 2020; Chair Adrienne Bennett voted to release Guion on March 31, 2020.⁸¹³

VPB records contain no information about victim contact during Guion’s 2020 parole consideration.⁸¹⁴ The only note related to victim research or contact throughout Guion’s incarceration was made on September 25, 2006.⁸¹⁵ On April 23, 2019, Chair Adrienne Bennett wrote a CORIS note stating “[a]dditional investigation completed that was mostly favorable.”⁸¹⁶

VPB records list “03/31/2020” as the official parole decision date.⁸¹⁷ The decision to grant Guion discretionary parole was certified on “04/10/2020.”⁸¹⁸ VPB staff mailed the notification required by Va. Code § 53.1-136(3)(c) to the Nottoway and Newport News Commonwealth’s Attorneys’ offices on April 10, 2020; VPB received an undated return receipt from both offices.⁸¹⁹

Guion was released from Deerfield Correctional Center on May 21, 2020.⁸²⁰

F. Violations of Law

VPB's decision to grant Zachary Guion discretionary parole violated Va. Code § 53.1-155(B), because VPB failed to "endeavor diligently" to contact the victims of Guion's crimes before casting all the necessary votes to release him.

Review of March/April 2020 Parole Releases

¹ OAG attempted to contact former Virginia Parole Board member A. Lincoln James but did not receive a response. OAG additionally attempted to contact former Virginia Parole Board member Joni Ivey but did not receive a response. OAG scheduled an interview with former Virginia Parole Board Chair Tonya Chapman, but Chapman canceled the meeting. Chapman informed OAG that her attorney would reach out to reschedule, but the attorney never contacted OAG.

² <https://www.equivant.com/wp-content/uploads/Practitioners-Guide-to-COMPAS-Core-040419.pdf>

³ The version of the prosecutor notification statute in effect during March and April 2020 was numbered as "§ 53.1-136(2)(c)." See <https://lis.virginia.gov/cgi-bin/legp604.exe?131+ful+CHAP0708&131+ful+CHAP0708>. Following statutory amendments that took effect in July 2020, the prosecutor notification statute was renumbered as "§ 53.1-136(3)(c)." To avoid confusion, all references to the prosecutor notification statute throughout this report use "§ 53.1-136(3)(c)."

Adrian Judd

⁴ Parole Board Member Summary 2

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ Parole Board Member Summary 3

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ Parole Board Member Summary 5

¹⁵ Parole Board Member Summary 4

¹⁶ *Id.*

¹⁷ CORIS Disciplinary Offense Module

¹⁸ Parole Board Member Summary 4

¹⁹ *Id.*

²⁰ Parole Board Member Summary 7

²¹ CORIS Parole Board Module → Offender Summary → All Decisions

²² *Id.*

²³ Parole Board Member Summary 7

²⁴ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>

²⁵ *Id.*

²⁶ VPB Prosecutor Notification Log

²⁷ Facility Notes 1

Anthony Talley

²⁸ Parole Board Member Summary 2

²⁹ Parole Board Member Summary 4

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*
³⁶ *Id.*
³⁷ *Id.*
³⁸ Parole Board Member Summary 3
³⁹ *Id.*
⁴⁰ *Id.*
⁴¹ Parole Board Member Summary 6
⁴² *Id.*
⁴³ Parole Board Member Summary 8
⁴⁴ *Id.*
⁴⁵ *Id.*
⁴⁶ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
⁴⁷ *Id.*
⁴⁸ VPB Prosecutor Notification Log
⁴⁹ Facility Notes 1

Antoine Richardson

⁵⁰ Parole Board Member Summary 2
⁵¹ Parole Board Member Summary 5
⁵² *Id.*
⁵³ *Id.*
⁵⁴ Parole Board Member Summary 3
⁵⁵ *Id.*
⁵⁶ Parole Board Member Summary 5
⁵⁷ *Id.*
⁵⁸ CORIS Parole Board Module → Offender Summary → Institutional Behavior
⁵⁹ Parole Board Member Summary 4
⁶⁰ CORIS Parole Board Module → All Interviews/Hearings
⁶¹ Parole Board Member Summary 8
⁶² *Id.*
⁶³ *Id.*
⁶⁴ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
⁶⁵ *Id.*
⁶⁶ VPB Prosecutor Notification Log
⁶⁷ Facility Notes 1
⁶⁸ Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

Antoine Wooten

⁶⁹ Parole Board Member Summary 2
⁷⁰ CORIS Parole Board Module → All Interviews/Hearings
⁷¹ *Id.*
⁷² *Id.*
⁷³ *Id.*
⁷⁴ *Id.*
⁷⁵ *Id.*
⁷⁶ *Id.*
⁷⁷ *Id.*
⁷⁸ *Id.*
⁷⁹ *Id.*
⁸⁰ *Id.*
⁸¹ *Id.*
⁸² CORIS Parole Board Module → Offender Summary → Institutional Behavior

⁸³ CORIS Parole Board Module → All Interviews/Hearings

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ CORIS Parole Board Module → Offender Summary → All Decisions

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² Parole Board Member Summary 6

⁹³ *Id.*

⁹⁴ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>

⁹⁵ *Id.*

⁹⁶ VPB Prosecutor Notification Log

⁹⁷ Facility Notes 1

⁹⁸ Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”

⁹⁹ Parole Board Member Summary 2

¹⁰⁰ CORIS Parole Board Module → Offender Summary → All Decisions

¹⁰¹ Facility Notes 1

Archer Malone III

¹⁰² CORIS Parole Board Module → All Interviews/Hearings

¹⁰³ Parole Board Member Summary 4

¹⁰⁴ *Id.*

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ Parole Board Member Summary 5

¹¹⁰ CORIS Parole Board Module → All Interviews/Hearings

¹¹¹ CORIS Parole Board Module → All Interviews/Hearings

¹¹² CORIS Parole Board Module → All Interviews/Hearings

¹¹³ *Id.*

¹¹⁴ *Id.*

¹¹⁵ Parole Board Member Summary 8

¹¹⁶ *Id.*

¹¹⁷ *Id.*

¹¹⁸ Parole Board Member Summary 9

¹¹⁹ *Id.*

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² Parole Board Member Summary 11

¹²³ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>

¹²⁴ *Id.*

¹²⁵ VPB Prosecutor Notification Log

¹²⁶ Parole Board Member Summary 1

Benny Savage

¹²⁷ Parole Board Member Summary 1–2

¹²⁸ *Id.*

¹²⁹ *Id.*

¹³⁰ *Id.*

¹³¹ CORIS Parole Board Module → Offender Summary → Institutional Behavior
¹³² Parole Board Member Summary 3
¹³³ *Id.*
¹³⁴ Parole Board Member Summary 5
¹³⁵ CORIS Parole Board Module → Offender Summary → All Decisions
¹³⁶ *Id.*
¹³⁷ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
¹³⁸ *Id.*
¹³⁹ VPB Prosecutor Notification Log
¹⁴⁰ Facility Notes 1
¹⁴¹ Supervision Notes 1
¹⁴² *Id.*
¹⁴³ *Id.*
¹⁴⁴ *Id.*

Cameron Manuel Jr.

¹⁴⁵ Parole Board Member Summary 2
¹⁴⁶ Parole Board Member Summary 3
¹⁴⁷ *Id.*
¹⁴⁸ *Id.*
¹⁴⁹ *Id.*
¹⁵⁰ *Id.*
¹⁵¹ *Id.*
¹⁵² *Id.*
¹⁵³ Parole Board Member Summary 4
¹⁵⁴ *Id.*
¹⁵⁵ Parole Board Member Summary 3
¹⁵⁶ Parole Board Member Summary 5
¹⁵⁷ CORIS Parole Board Module → Offender Summary → All Decisions
¹⁵⁸ *Id.*
¹⁵⁹ Parole Board Member Summary 6
¹⁶⁰ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
¹⁶¹ *Id.*
¹⁶² VPB Prosecutor Notification Log
¹⁶³ Facility Notes 1

Daron Beckham

¹⁶⁴ Parole Board Member Summary 2
¹⁶⁵ *Id.*
¹⁶⁶ *Id.*
¹⁶⁷ James Clinton Forman, a/k/a Kamani Sun, was granted release by the Virginia Parole Board in March 2020.
¹⁶⁸ Parole Board Member Summary 4
¹⁶⁹ Parole Board Member Summary 6
¹⁷⁰ CORIS Parole Board Module → All Interviews/Hearings
¹⁷¹ *Id.*
¹⁷² *Id.*
¹⁷³ *Id.*
¹⁷⁴ CORIS Parole Board Module → Offender Summary → All Decisions
¹⁷⁵ *Id.*
¹⁷⁶ Parole Board Member Summary 11
¹⁷⁷ *Id.*
¹⁷⁸ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
¹⁷⁹ *Id.*
¹⁸⁰ VPB Prosecutor Notification Log
¹⁸¹ Facility Notes 1
¹⁸² Parole Board Member Summary 5

¹⁸³ Parole Board Member Summary 11

David Crawley

¹⁸⁴ Parole Board Member Summary 2

¹⁸⁵ Parole Board Member Summary 3

¹⁸⁶ Parole Board Member Summary 4

¹⁸⁷ *Id.*

¹⁸⁸ *Id.*

¹⁸⁹ *Id.*

¹⁹⁰ *Id.*

¹⁹¹ *Id.*

¹⁹² *Id.*

¹⁹³ *Id.*

¹⁹⁴ *Id.*

¹⁹⁵ CORIS Parole Board Module → Offender Summary → Institutional Behavior

¹⁹⁶ Parole Board Member Summary 3

¹⁹⁷ Parole Board Member Summary 5

¹⁹⁸ Parole Board Member Summary 7

¹⁹⁹ *Id.*

²⁰⁰ *Id.*

²⁰¹ Parole Board Member Summary 8

²⁰² <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>

²⁰³ *Id.*

²⁰⁴ VPB Prosecutor Notification Log

²⁰⁵ Facility Notes 1

Deon Coleman

²⁰⁶ *Id.*

²⁰⁷ Parole Board Member Summary 2

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²⁰⁹ *Id.*

²¹⁰ *Id.*

²¹¹ *Id.*

²¹² CORIS Parole Board Module → Offender Summary → Institutional Behavior

²¹³ Parole Board Member Summary 3

²¹⁴ *Id.*

²¹⁵ Parole Board Member Summary 6

²¹⁶ *Id.*

²¹⁷ Parole Board Member Summary 10

²¹⁸ Parole Board Member Summary 9

²¹⁹ *Id.*

²²⁰ Parole Board Member Summary 7

²²¹ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>

²²² *Id.*

²²³ VPB Prosecutor Notification Log

²²⁴ Parole Board Member Summary 1

Donald Brooks

²²⁵ Parole Board Member Summary 1

²²⁶ Parole Board Member Summary 3

²²⁷ *Id.*

²²⁸ *Id.*

²²⁹ *Id.*

²³⁰ *Id.*

²³¹ *Id.*

²³² *Id.*

233 *Id.*
234 *Id.*
235 *Id.*
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243 <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
244 *Id.*
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Floyd Copeland

247 Parole Board Member Summary 2
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249 *Id.*
250 Parole Board Member Summary 5
251 *Id.*
252 *Id.*
253 *Id.*
254 Parole Board Member Summary 4
255 *Id.*
256 Parole Board Member Summary 4
257 *Id.*
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262 *Id.*
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Elvin Whitehurst

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274 Parole Board Member Summary 5
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276 *Id.*
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279 *Id.*
280 *Id.*
281 Parole Board Member Summary 7
282 CORIS Parole Board Module → Offender Summary → All Decisions
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284 Parole Board Member Summary 8

285 *Id.*
286 <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
287 *Id.*
288 VPB Prosecutor Notification Log
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Frank Davis

290 Parole Board Member Summary 2
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293 *Id.*
294 *Id.*
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297 Parole Board Member Summary 3
298 Parole Board Member Summary 2
299 Parole Board Member Summary 5
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305 VPB Prosecutor Notification Log
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Gloria Hearn

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312 *Id.*
313 *Id.*
314 *Id.*
315 *Id.*
316 Parole Board Member Summary 4
317 CORIS Parole Board Module → Offender Summary → All Decisions
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319 Parole Board Member Summary 4
320 *Id.*
321 *Id.*
322 Parole Board Member Summary 5-6
323 Parole Board Member Summary 8
324 <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
325 *Id.*
326 VPB Prosecutor Notification Log
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Guy Price

328 Parole Board Member Summary 1
329 *Id.*
330 Parole Board Member Summary 3
331 *Id.*
332 *Id.*
333 *Id.*
334 CORIS Parole Board Module → Offender Summary → Institutional Behavior

335 Parole Board Member Summary 3
336 *Id.*
337 *Id.*
338 Parole Board Member Summary 6
339 *Id.*
340 Parole Board Member Summary 7
341 *Id.*
342 Parole Board Member Summary 7
343 CORIS Parole Board Module → Offender Summary → All Decisions
344 Parole Board Member Summary 9
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347 VPB Prosecutor Notification Log
348 Parole Board Member Summary 1

Hugh Brown

349 Parole Board Member Summary 1
350 Parole Board Member Summary 3
351 *Id.*
352 *Id.*
353 *Id.*
354 *Id.*
355 *Id.*
356 *Id.*
357 Parole Board Member Summary 4
358 *Id.*
359 *Id.*
360 CORIS Parole Board Module → All Decisions
361 CORIS Parole Board Module → All Decisions
362 Parole Board Member Summary 5
363 Parole Board Member Summary 5
364 *Id.*
365 *Id.*
366 Parole Board Member Summary 7
367 <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
368 *Id.*
369 VPB Prosecutor Notification Log
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Iman Dastagirzada

371 Parole Board Member Summary 2
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374 *Id.*
375 Parole Board Member Summary 5
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386 CORIS Parole Board Module → Offender Summary → Institutional Behavior

387 Parole Board Member Summary 3
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James Jones

399 Parole Board Member Summary 2
400 Parole Board Member Summary 3
401 CORIS Parole Board Module → Offender Summary → Institutional Behavior
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403 *Id.*
404 *Id.*
405 *Id.*
406 *Id.*
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408 Parole Board Member Summary 5
409 *Id.*
410 <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
411 *Id.*
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413 Facility Notes 1

Jermaine Williams

414 Parole Board Member Summary 2
415 Parole Board Member Summary 3
416 *Id.*
417 *Id.*
418 *Id.*
419 *Id.*
420 *Id.*
421 *Id.*
422 Parole Board Member Summary 4
423 Parole Board Member Summary 5
424 CORIS Parole Board Module → Offender Summary → Institutional Behavior
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426 *Id.*
427 Parole Board Member Summary 5
428 *Id.*
429 Parole Board Member Summary 6
430 *Id.*
431 *Id.*
432 Parole Board Member Summary 7
433 <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
434 *Id.*
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Jerry Lankford

⁴³⁷ Parole Board Member Summary 1-2
⁴³⁸ Parole Board Member Summary 1-2
⁴³⁹ Parole Board Member Summary 5
⁴⁴⁰ *Id.*
⁴⁴¹ *Id.*
⁴⁴² *Id.*
⁴⁴³ *Id.*
⁴⁴⁴ *Id.*
⁴⁴⁵ Parole Board Member Summary 6
⁴⁴⁶ *Id.*
⁴⁴⁷ CORIS Parole Board Module → Offender Summary → Institutional Behavior
⁴⁴⁸ Parole Board Member Summary 5
⁴⁴⁹ *Id.*
⁴⁵⁰ Parole Board Member Summary 8
⁴⁵¹ CORIS Parole Board Module → Offender Summary → All Decisions
⁴⁵² *Id.*
⁴⁵³ Parole Board Member Summary 8
⁴⁵⁴ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
⁴⁵⁵ *Id.*
⁴⁵⁶ VPB Prosecutor Notification Log
⁴⁵⁷ Facility Notes 1

John Parker

⁴⁵⁸ Parole Board Member Summary 2
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⁴⁶¹ *Id.*
⁴⁶² *Id.*
⁴⁶³ *Id.*
⁴⁶⁴ *Id.*
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⁴⁷² *Id.*
⁴⁷³ *Id.*
⁴⁷⁴ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
⁴⁷⁵ *Id.*
⁴⁷⁶ VPB Prosecutor Notification Log
⁴⁷⁷ Parole Board Member Summary 1
⁴⁷⁸ Va. Code § 53.1-155(B); Email of October 22, 2020 from Tonya Chapman to Secretary of Public Safety and Homeland Security Brian Moran, Deputy Secretary Nicky Zamostny, and Parole Board Vice-Chair Linda Bryant. Chair Chapman advised that per Assistant Attorney General Laura Cahill, “If an individual’s parole has been revoked and he/she is serving time on an old law conviction, the original victim DOES need to be contacted and provided an opportunity to provide input prior to release.”
⁴⁷⁹ Supervision Notes 1
⁴⁸⁰ *Id.*
⁴⁸¹ *Id.*

John Scott

⁴⁸² Parole Board Member Summary 2
⁴⁸³ Parole Board Member Summary 3

484 *Id.*
485 Parole Board Member Summary 2
486 CORIS Parole Board Module → Offender Summary → Institutional Behavior
487 *Id.*
488 *Id.*
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492 *Id.*
493 *Id.*
494 CORIS Parole Board Module → Offender Summary → All Decisions
495 *Id.*
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498 *Id.*
499 <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
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Larry Potee

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507 *Id.*
508 *Id.*
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510 Parole Board Member Summary 3
511 *Id.*
512 Parole Board Member Summary 5
513 CORIS Parole Board Module → Offender Summary → All Decisions
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516 <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
517 *Id.*
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Linwood Scott Jr.

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524 *Id.*
525 *Id.*
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527 *Id.*
528 Parole Board Member Summary 3
529 *Id.*
530 Parole Board Member Summary 4
531 Parole Board Member Summary 3
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534 CORIS Parole Board Module → Offender Summary → All Decisions
535 *Id.*

⁵³⁶ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
⁵³⁷ *Id.*
⁵³⁸ VPB Prosecutor Notification Log
⁵³⁹ Facility Notes 1
⁵⁴⁰ <https://www.wavy.com/news/local-news/norfolk/norfolk-police-arrest-suspect-in-26-year-old-rape-case/>

Preston Parker

⁵⁴¹ Parole Board Member Summary 2
⁵⁴² Parole Board Member Summary 3
⁵⁴³ *Id.*
⁵⁴⁴ *Id.*
⁵⁴⁵ *Id.*
⁵⁴⁶ *Id.*
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⁵⁵⁴ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
⁵⁵⁵ *Id.*
⁵⁵⁶ VPB Prosecutor Notification Log
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Ralph Boone

⁵⁵⁸ Parole Board Member Summary 2
⁵⁵⁹ Parole Board Member Summary 4
⁵⁶⁰ *Id.*
⁵⁶¹ *Id.*
⁵⁶² *Id.*
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⁵⁶⁸ Parole Board Member Summary 7
⁵⁶⁹ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
⁵⁷⁰ *Id.*
⁵⁷¹ VPB Prosecutor Notification Log
⁵⁷² Facility Notes 1

Robert Clark

⁵⁷³ Parole Board Member Summary 2
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⁵⁷⁵ *Id.*
⁵⁷⁶ *Id.*
⁵⁷⁷ *Id.*
⁵⁷⁸ *Id.*
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⁵⁸⁰ *Id.*
⁵⁸¹ CORIS Parole Board Module → Offender Summary → Institutional Behavior
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588 *Id.*
589 *Id.*
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Roger Mallory

594 Parole Board Member Summary 2
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604 CORIS Parole Board Module → All Interviews/Hearings
605 CORIS Parole Board Module → Offender Summary → All Decisions
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Ronnie Phillips

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616 *Id.*
617 *Id.*
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619 *Id.*
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629 *Id.*
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Solomon Huiett

⁶³⁶ Parole Board Member Summary 2
⁶³⁷ *Id.*
⁶³⁸ Parole Board Member Summary 3
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⁶⁴¹ *Id.*
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⁶⁴³ *Id.*
⁶⁴⁴ *Id.*
⁶⁴⁵ CORIS Parole Board Module → Offender Summary → Institutional Behavior
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⁶⁴⁹ *Id.*
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⁶⁵² <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>
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Stanley Outlaw

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Thomas Smith

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Timothy Ward

⁶⁸⁴ Parole Board Member Summary 2

685 *Id.*
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Vincent Martin

707 *Id.*
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Wilsean Wright

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792 Parole Board Member Summary 8

⁷⁹³ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>

⁷⁹⁴ *Id.*

⁷⁹⁵ VPB Prosecutor Notification Log

⁷⁹⁶ Parole Board Member Summary 1

⁷⁹⁷ Supervisions Notes 1

⁷⁹⁸ <https://www.wtvr.com/news/local-news/nikike-tyler-arrested-henrico-drug-trafficking-money-laundering-bust>

⁷⁹⁹ Supervision Notes 1

Zachary Guion

⁸⁰⁰ Parole Board Member Summary 2

⁸⁰¹ *Id.*

⁸⁰² Parole Board Member Summary 4

⁸⁰³ *Id.*

⁸⁰⁴ *Id.*

⁸⁰⁵ *Id.*

⁸⁰⁶ *Id.*

⁸⁰⁷ *Id.*

⁸⁰⁸ *Id.*

⁸⁰⁹ Parole Board Member Summary 3

⁸¹⁰ *Id.*

⁸¹¹ Parole Board Member Summary 6

⁸¹² Parole Board Member Summary 7

⁸¹³ *Id.*

⁸¹⁴ Parole Board Member Summary 7-8

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⁸¹⁶ Parole Board Member Summary 7

⁸¹⁷ <https://vpb.virginia.gov/files/1170/vpb-decisions-apr20.pdf>

⁸¹⁸ *Id.*

⁸¹⁹ VPB Prosecutor Notification Log

⁸²⁰ Facility Notes 1



REPORT OF INVESTIGATION VIRGINIA PAROLE BOARD

APPENDIX TO SECTION IV

Appendix to Section IV

Early Discharges from Parole Supervision Granted by Chair Adrienne Bennett

We examined each case in which Chair Bennett unilaterally discharged a parolee from supervision to determine compliance with policy and law. The data reported in this Appendix comes from the “Parole Board Member Summary” and “external documents” uploaded to CORIS by parole officers and VPB employees.

Each individual early discharge case involved one or more violations of VPB policy or the Virginia Code. The 137 individual cases are separated into two groups: first, 23 cases in which a parole officer *had* properly requested that an offender be discharged early from parole supervision, and second, 114 cases in which *no* parole officer had properly requested that an offender be discharged early from parole supervision.

Throughout this appendix, the “PPS 60” Parole Discharge Report, required for all early discharges from parole supervision, will be referred to as “PPS 60.” An assertion that no “PPS 60” was ever submitted in a particular case is also an assertion that no parole officer requested early discharge for the offender by email or other means.

Offenders’ conditions of release are referred to as “release conditions.” Offenders are required to sign release conditions before leaving prison and beginning parole supervision. The release conditions obligate the offender to follow the rules of the parole system and establish the minimum date on which the offender can be released from parole supervision.

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A. Final Discharges from Parole Supervision Requested by a Parole Officer

1. Adrian Black

Convicted of first-degree murder, abduction, and two counts of use of a firearm in Arlington in 1986. Sentenced to 56 years total. Released on mandatory parole in 2014. Release conditions state that “Your minimum date of discharge from supervision is 11/14/2024.” Local parole officer submitted a “PPS 60” to VPB dated March 6, 2020, detailing Black’s positive adjustment to supervision and recommending discharge. The early discharge request was submitted to VPB by Interstate Compact parole officer Erin Banty. The record of early discharges prepared by Chair Bennett contains a note stating (requested by Erin). Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

2. Anthony Mullahy

Convicted of first-degree murder, abduction, and burglary in Virginia Beach and Norfolk in 1975. Sentenced to life plus 20 years. Released on discretionary parole in 2010. Local parole officer requested early discharge from parole in 2015 due to positive adjustment. VPB denied several early discharge requests since 2015. Chair Bennett personally wrote “Early Discharge request denied” in Mullahy’s file in November 2017. Local parole officer submitted a “PPS 60” in July 2019 detailing Mullahy’s positive adjustment to supervision and recommending discharge. The early discharge request was submitted to VPB by parole officer Erin Banty. The record of early discharges prepared by Chair Bennett contains a note stating (requested by Erin). Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

3. Bernard Cherry

Convicted of first-degree murder, robbery, attempted robbery, and use of a firearm in Chesapeake in 1992. Sentenced to life plus 22 years. Released on discretionary parole in November 2013. Release conditions state that “Your minimum date of release from supervision is Life.” Local parole officer submitted a “PPS 60” to VPB dated January 24, 2020, detailing Cherry’s positive adjustment to supervision and recommending discharge. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

4. Brian Rambo

Convicted of first- and second-degree murder for two killings in Virginia Beach in 1984.

Sentenced to 75 years. Released on discretionary parole in December 2014. Release conditions state that “Your minimum date of release from supervision is 6/30/2022.” Local parole officer submitted a “PPS 60” to VPB dated January 27, 2020, detailing Rambo’s positive adjustment to supervision and recommending discharge. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

5. Curtis Greene

Convicted of first-degree murder and use of a firearm in Charlottesville in 1991. Sentenced to life plus two years. Released on discretionary parole on May 4, 2018. Release conditions state that “Your minimum date of release from supervision is LIFE.” Local parole officer initially requested a lower level of supervision in November 2019; VPB did not reply. Local parole officer resubmitted the request to lower Greene’s level of supervision from “intensive” to a lower level on March 30, 2020. Early discharge not requested at that time. Local parole officer resubmitted a request on March 31, 2020 for “consideration of early release or level decrease” via email. The record of early discharges prepared by Chair Bennett contains a note stating (Requested by Helen Morton). However, no VPB record indicates that Morton did so in this case.¹ Early discharge certificate dated April 5, 2020 uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

6. David Campbell

Convicted of capital murder, first-degree murder, robbery, and three counts of use of a firearm in Amherst in 1987. Sentenced to two consecutive life terms plus 35 years. Released on discretionary parole in October 2014. Release conditions required lifetime supervision. In 2016, the parole officer noted that Campbell wanted “to build a case for himself so that he can attempt to get off parole in 5 years.” In December 2019, the local parole office submitted a “PPS 60” to VPB. VPB denied the request for early discharge from supervision on February 20, 2020. No “PPS 60” report was subsequently submitted after the February 2020 denial. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

7. Duane Edmonds

Convicted in 2011 of a 1994 second-degree murder and use of a firearm in Portsmouth. Sentenced to 33 years with 28 suspended. Released on mandatory parole in 2014 with release conditions stating that “Your minimum date of discharge from supervision is 5/6/2025.” Interstate Compact parole officer Krista Varady submitted a “PPS 60” to VPB on March 15, 2020, detailing Edmonds’ positive adjustment to supervision and recommending discharge. The record of early

discharges prepared by Chair Bennett contains a notation stating (Requested by Cal'Vina). VPB records contain no evidence of an early discharge request from a parole officer named Cal'Vina.² Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

8. Gregory Epperson

Convicted of seven counts of robbery, attempted robbery, abduction, and four counts of use of a firearm in Arlington and Alexandria in 1989 and 1990. Sentenced to 118 years and 9 months. Ineligible for discretionary parole under § 53.1-151(B1) for multiple unrelated convictions of armed robbery.³ Granted geriatric conditional release in May 2017. Release conditions state that "Your minimum date of release from supervision is August 29, 2045." Out-of-state parole officer submitted a positive progress report in March 2020. Local parole officer submitted a "PPS 60" dated April 2, 2020. Early discharge request submitted to VPB by parole officer Erin Banty. The record of early discharges prepared by Chair Bennett contains a note stating (requested by Erin). Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett. Convicted of DUI in North Carolina in June 2021.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

9. Joseph Giarratano

Convicted of capital murder, first-degree murder, and rape in Norfolk in 1979. Sentenced to consecutive life terms plus 30 years. Released on discretionary parole in 2017 with release conditions stating "Your minimum date of release from supervision is M-LIFE [multiple life terms]." The chief of the local parole office sent an early discharge recommendation on March 13, 2020. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

10. Keron Turner

Convicted of first-degree murder, malicious wounding, and two counts of use of a firearm in Richmond City in 1995. Sentenced to life in prison plus 23 years. Prior convictions for distribution of cocaine, possession of a firearm while possessing cocaine, carrying a concealed weapon, unlawfully discharging a firearm, assault, and unauthorized use of an automobile. Released on discretionary parole on July 19, 2018 with release conditions requiring lifetime supervision. Local parole officer submitted a "PPS 60" in December 2019. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett. Arrested for domestic assault and battery against his wife in Chesterfield in November 2020. Pled guilty in January 2021 as a first-offense domestic violence offender.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

11. Lee Stanley

Convicted of rape, three counts of forcible sodomy, and inanimate object sexual penetration in Henrico in 1991. Sentenced to 65 years. Prior convictions for first-degree murder and armed robbery. Granted geriatric conditional release in January 2014, with release conditions stating “Your minimum date of release from supervision is September 5, 2023.” Local parole officer submitted a “PPS 60” in August 2018; VPB denied the request. A “PPS 60” was resubmitted in March 2020 by parole officer Tricia Atkins. The record of early discharges prepared by Chair Bennett contains the note (requested by Erin). VPB records contain no evidence that a parole officer named Erin took any action regarding Stanley’s parole supervision.⁴ Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

12. Lionel Wormley

Convicted of robbery, malicious wounding, burglary, and conspiracy in Arlington in 1980. Sentenced to life in prison. Released on discretionary parole in 2008 with release conditions requiring lifetime supervision. Local parole officer submitted a “PPS 60” dated April 18, 2014 detailing Wormley’s positive adjustment to supervision and recommending termination of parole supervision. VPB denied the request in September 2014. Interstate Compact parole officer Krista Varady submitted a “PPS 60” to VPB on March 15, 2020. The record of early discharges prepared by Chair Bennett contains a note stating (requested by Cal’Vina).⁵ Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

13. Luther Beasley

Convicted of first-degree murder in Chesapeake in 1976. Sentenced to life in prison. Released on discretionary parole in January 2015. Release conditions state “Your minimum date of release from supervision is Life.” Parole officer Shelley Hollandsworth submitted a “PPS 60” to VPB on April 1, 2020. The record of early discharges prepared by Chair Bennett contains a notation stating “Requested by Cal’Vina.”⁶ Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

14. Michael Shepperson

Convicted of first-degree murder and use of a firearm in Fairfax in 1995. Convicted of two counts of grand larceny, credit card theft, and credit card fraud in Fairfax in 1993. Total sentence of 57 years. Released on discretionary parole in August 2017. Release conditions state “Your minimum date of release from supervision is May 7, 2021.” In February 2020, an out-of-state parole officer submitted a request for early termination of parole supervision. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

15. Pamela Sayre

Convicted of first-degree murder and robbery in York in 1993. Sentenced to 60 years. Released on discretionary parole in January 2015. Release conditions state that “Your minimum date of release from supervision is 10/6/2023.” In September 2019, Sayre inquired about early discharge from parole supervision; the parole officer told her to check back in February 2020. In January 2020, Sayre contacted the parole officer reminding her that she had reached the 5-year mark on parole supervision. The parole officer, JoAnn Nowak, had submitted a parole discharge report earlier that month. The record of early discharges prepared by Chair Bennett contains a notation stating (Requested by Cal’Vina). VPB records contain no evidence that a parole officer named Cal’Vina requested that Pamela Sayre be discharged early from supervision.⁷ Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

16. Roy Pittman

Convicted of two counts of robbery, two counts of conspiracy to commit robbery, two counts of use of a firearm, and use of a sawed-off shotgun to commit a violent crime in different incidents in Arlington in 1993 and 1996. Sentenced to life in prison plus 69 years. Released on discretionary parole in 2010 with release conditions requiring lifetime supervision. Local parole officer submitted a “PPS 60” dated March 6, 2020 requesting early termination of parole due to positive adjustment. The early discharge request was submitted to VPB by parole officer Erin Banty. The record of early discharges prepared by Chair Bennett contains a note stating (requested by Erin). Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

17. Shamont Burrell

Convicted of first-degree murder, two counts of use of a firearm, malicious wounding, and conspiracy to commit murder for a 1994 school shooting at Norfolk State University. Total

sentence of 68 years. Released on discretionary parole in October 2018. Release conditions state “Your minimum date of release from supervision is June 1, 2038.” A parole officer submitted an early discharge request on Burrell’s behalf in February 2020, and VPB denied early discharge from parole supervision on February 14, 2020. No “PPS 60” was subsequently submitted. Early discharge certificate dated April 8, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after 5 years, and upon a parole officer’s recommendation. Burrell was on supervision for one year and six months after being incarcerated for 23 years. While a parole officer previously submitted a discharge request, VPB denied the request less than two months before reversing course and discharging Burrell without explanation.

18. Vernon Charles

Convicted of first-degree murder and robbery in Pittsylvania in 1989; co-defendant Ronald Yeatts was executed in 1999. Vernon was sentenced to two life terms. Released on discretionary parole in June 2014. Release conditions state that “Your minimum date of release from supervision is Life.” Local parole officer submitted a “PPS 60” to VPB dated November 14, 2019, detailing Vernon’s positive adjustment to supervision and recommending termination of supervision. The early discharge request was submitted to VPB by Interstate Compact parole officer Erin Banty. The record of early discharges prepared by Chair Bennett contains a note stating (requested by Erin). Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

19. Vinh Pham

Convicted of 5 abductions, robbery, burglary, and use of a firearm in Fairfax in 1991. Sentenced to 77 years. Released on discretionary parole in August 2012 with release conditions requiring supervision until at least August 2030. Local parole officer submitted a “PPS 60” in November 2019 requesting early termination from parole supervision due to positive adjustment. The early discharge request was submitted to VPB by Interstate Compact parole officer Erin Banty. The record of early discharges prepared by Chair Bennett contains a note stating (requested by Erin). Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

20. Walter Paige

Convicted of first-degree murder, robbery, malicious wounding, and three counts of use of a firearm in Henrico in 1990. Sentenced to 100 years. Also convicted of burglary in Hanover in

1981 and sentenced to 5 years. Released on discretionary parole in December 2018. Release conditions required parole supervision until at least September 14, 2044. Local parole officer Jesseca Jones submitted a “PPS 60” on January 6, 2020. The record of early discharges prepared by Chair Bennett contains a note stating (requested by Cal’Vina) (I emailed her that it is ready). Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

21. William Geer

Convicted of the aggravated sexual battery and forcible sodomy of his 7-year-old granddaughter in Henrico in 1991. Sentenced to 48 years. Released on mandatory parole in January 2015. Release conditions state that “Your minimum date of discharge from supervision is 1/6/2025.” In February 2020, the local parole officer submitted a “PPS 60” to VPB requesting early termination from parole supervision due to positive adjustment. The record of early discharges prepared by Chair Bennett contains a note stating (Requested by Helen Morton). However, no VPB record indicates that Morton did so in this case.⁸ Early discharge certificate dated April 13, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

22. William Jones

Convicted of 6 robberies, 5 counts of use of a firearm, 3 counts of felony wounding, 2 counts of fraud, and attempted robbery in Norfolk and Portsmouth in 1978. Convicted of abduction, attempted murder, use of a firearm, and possession of a weapon by an inmate in Richmond in 1980. Prior conviction for armed robbery. Total sentence of 125 years. Released on discretionary parole in May 2015. In November 2019, the local parole officer submitted a “PPS 60” to VPB requesting early discharge from parole supervision due to positive adjustment. The request was submitted to VPB by parole officer Erin Banty. The record of early discharges prepared by Chair Bennett contains a notation stating, “Requested by Erin.” Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

23. Jimmie Stephenson

Convicted of first-degree murder and robbery in Suffolk in 1971. Sentenced to life plus 30 years. Released on discretionary parole in 2005 with release conditions requiring lifetime supervision. Local parole officer sent a “PPS 60” to VPB in February 2012 requesting discharge from supervision; request denied. Interstate Compact parole officer Krista Varady resubmitted a “PPS 60” on March 15, 2020 requesting termination of supervision. The record of early discharges prepared by Chair Bennett contains a note stating (Requested by Cal’Vina).⁹ Early discharge

certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

B. Final Discharges from Parole Supervision Granted Without a Request from a Parole Officer

1. Aaron Turner

Convicted of capital murder in Virginia Beach in 1992 and sentenced to life in prison; co-defendant Mario Murphy executed in 1997. Released on parole in August 2018. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Turner was on parole supervision for only 1 year and 7 months after being incarcerated for 26 years, and no parole officer recommended him for early discharge from supervision.

2. Adrian Roane

Convicted of first-degree murder, two attempted murders, and three counts of use of a firearm in Richmond City in 1990. Sentenced to life plus 25 years. Released on discretionary parole in September 2017. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Roane was on parole supervision for only 2 years and 7 months after being incarcerated for 27 years, and no parole officer recommended him for early discharge from supervision.

3. Adrian Wyer

Convicted of robbery, burglary, and grand larceny in Petersburg in 1993. Convicted of robbery, abduction, burglary, grand larceny, and use of a firearm in Colonial Heights in 1994. Prior convictions for forgery and distribution of cocaine. Sentenced to a total of 65 years. Released on discretionary parole in August 2016. Release conditions state that “Your minimum date of release from supervision is January 13, 2027.” Local parole officer posted a CORIS note in 2018 stating that Wyer was “not eligible for release. He is parolee with 11 years supervision. He will not be

eligible until 8-31-2021 as per DOC Policy. Next review April 2019.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Wyer was on parole supervision for only 3 years and 7 months after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

4. Angello Congo

Convicted of capital murder, robbery, and use of a firearm in Norfolk in 1986. Sentenced to life plus two years. Prior convictions for burglaries, receiving stolen property, and assault. Released on discretionary parole in June 2018. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Congo was on parole supervision for only 1 year and 10 months after being incarcerated for 34 years, and no parole officer recommended him for early discharge from supervision.

5. Anthony Anderson

Convicted of first-degree murder, rape, three counts of abduction, four counts of use of a firearm, two counts of robbery, burglary, malicious wounding, and attempted escape from custody in Richmond City in 1984 and 1985. Convicted of murder, two counts of robbery, and three counts of use of a firearm in Chesterfield in 1985. Sentenced to two life terms plus 195 years. Ineligible for discretionary parole under § 53.1-151(B1) for multiple unrelated convictions of murder, rape, and armed robbery.¹⁰ Released on discretionary parole in December 2018. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Anderson was on parole supervision for only 1 year and 2 months after being incarcerated for 34 years, and no parole officer recommended him for early discharge from supervision.

6. Antione Speed

Convicted of first-degree murder of a police officer, attempted robbery, and two counts of use of a firearm in 1994 in Newport News. Sentenced to 84 years. Released on discretionary parole in May 2019. Release conditions state “Your minimum date of release from supervision is June 7, 2055.” No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Speed was on parole supervision for only 11 months after being incarcerated for 24 years, and no parole officer recommended him for early discharge from supervision.

7. Antonio Jefferson

Convicted of first-degree murder, use of a firearm, and felony hit & run in Suffolk in 1996 and 1997 (pre-1995 offenses). Sentenced to life plus 3 years and 6 months. Released on discretionary parole in July 2018. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Jefferson was on parole supervision for only 1 year and 9 months after being incarcerated for 21 years, and no parole officer recommended him for early discharge from supervision.

8. Arthur Rambert

Convicted of first-degree murder, robbery, heroin distribution, and possession of a firearm while possessing a controlled substance in Petersburg in 1994. Sentenced to life in prison plus 24 years. Released on discretionary parole in June 2018. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Rambert was on parole supervision for only 1 year and 10 months after being incarcerated for 24 years, and no parole

officer recommended him for early discharge from supervision.

9. Barry Mines

Convicted of 4 burglaries and grand larceny in Roanoke City, Roanoke County, and Salem in 1977. Convicted of first-degree murder, 3 burglaries, and 4 grand larcenies in Roanoke County in 1981. Convicted of burglary in Salem in 1981. Convicted of three burglaries and one grand larceny in Roanoke City in 1981. Total sentence of life plus 35 years. Initially released on discretionary parole in 2010. Reincarcerated in 2016 after two parole violations. Released again on discretionary parole in January 2017. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Mines was on parole supervision for only 3 years and 3 months, and no parole officer recommended him for early discharge from supervision.

10. Berdell Mason

Convicted of first-degree murder and use of a firearm in Spotsylvania in 1981. Sentenced to life in prison plus one year. Released on discretionary parole in 2009. Convicted of two DUIs in 2009; parole revoked in 2010. Released again on discretionary parole in July 2019. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 8, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon recommendation of the local parole officer. Mason had never successfully completed 5 years of parole supervision; he initially violated parole within one year of his 2009 release, and no parole officer recommended him for discharge from supervision.

11. Bobby Hess

Convicted of two grand larcenies in 1969 in Buchanan. Convicted of escaping from custody in 1970. Convicted of robbery, burglary, and grand larceny in Southampton in 1970 (committed while free as a result of his escape from prison). Released on discretionary parole in 1975 and absconded from parole. Reincarcerated on a parole violation and released from prison in 1978. Convicted of first-degree murder, conspiracy, and use of a firearm in 1980. Total sentence of life plus 28 years. Released on discretionary parole in April 2017. Release conditions state “Your minimum date of release from supervision is Life.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Hess was on parole supervision for only 3 years after being incarcerated for 36 years, and no parole officer recommended him for early discharge from supervision.

12. Brian Rooney

Convicted of burglary in Fairfax in 1988 and sentenced to probation. Convicted in Fairfax of three counts of unlawful entry in 1989. Convicted of two counts of grand larceny in Arlington in 1989. Probation revoked and active sentence imposed on the 1988 Fairfax burglary. Released on discretionary parole in 1990. Convicted of 9 burglaries between 1990 and 1992 in Fairfax and Prince William, receiving a total active sentence of 40 years with 15 suspended. Parole revoked on the original convictions. Released again on discretionary parole in 2003. Committed felony eluding police in December 2004 and was convicted in 2006; VPB issued a reprimand letter but did not revoke parole. Rooney thereafter absconded from parole supervision and incurred new charges in North Carolina and Fairfax. Convicted of burglary, two counts of grand larceny, and receiving stolen property in Fairfax in 2008. Discretionary parole was again revoked. Released for a third time on discretionary parole in June 2019. Release conditions state "Your minimum date of release from supervision is September 7, 2020." No "PPS 60" was ever submitted. Early discharge certificate dated April 8, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Rooney had never successfully completed 5 years of parole supervision, as he initially violated parole by committing a new felony within 1 year of being placed on parole supervision in 2004, followed by absconding from supervision and committing an additional burglary and grand larceny. Furthermore, no parole officer recommended Rooney for early discharge from supervision.

13. Carl Johnson

Convicted of bank robbery in Fairfax in 1975. Convicted of possession of a weapon by an inmate in Powhatan in 1978. Convicted of escape from custody in Richmond in 1981. Convicted of malicious wounding and possession of a weapon by an inmate in Powhatan in 1992. Total sentence of 68 years. Released on discretionary parole in May 2018. Release conditions state "Your minimum date of release from supervision is December 11, 2022." No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Johnson was on parole supervision for only 1 year and 11 months after being incarcerated for 43 years, and no parole officer recommended him for early discharge from supervision.

14. Charles Williamson

Convicted of first-degree murder, two counts of attempted murder, three counts of use of a firearm, conspiracy, and possession of cocaine in Arlington in 1992. Sentenced to 106 years. Two prior convictions in Arlington for possession of cocaine; parole revoked on those convictions following the murder conviction. Released on discretionary parole in September 2017. Release conditions state that "Your minimum date of release from supervision is March 18, 2045." No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Williamson was on parole supervision for only 2 years and 6 months after being incarcerated for 24 years, and no parole officer recommended him for early discharge from supervision.

15. Charlie Vu

Convicted in 1991 of six counts of abduction, two counts of robbery, two counts of burglary, and four counts of use of a firearm in Arlington and Fairfax. Sentenced to 114 years total. Released on discretionary parole in December 2017 and was supervised out-of-state under the Interstate Compact. Release conditions state that "Your minimum date of release from supervision is May 23, 2050." Out-of-state parole officer submitted inquiry to Richmond, VA parole officer in January 2020 about "early termination of supervision for good behavior." Richmond, VA parole officer replied in February 2020 that "[h]e will not be eligible for early release until 12/2022." Early discharge certificate dated April 6, 2020 uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Vu was on parole supervision for only 2 years and 4 months after being incarcerated for 26 years, and no parole officer recommended him for early discharge from supervision.

16. Christian Jackson

Convicted of first-degree murder in Norfolk in 1988 and sentenced to life in prison for beating a 21-year-old woman to death with a skillet and a baseball bat. Released on discretionary parole in June 2018. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Jackson was on parole supervision for only 1 year and 10 months after being incarcerated for 29 years, and no parole officer recommended him for early discharge from supervision.

17. Christopher Vincent

Convicted of first-degree murder and robbery in Carroll in 1991. Sentenced to life plus 75 years. Parole examiner noted Vincent's "hostility and anger directed at the [Parole Board]. He is very dismissive of the life he took." Released on discretionary parole in June 2017. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Vincent was on parole supervision for only 2 years and 10 months after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

18. Clyde Boykins

Convicted of two burglaries and three grand larcenies in Richmond City in 1982. Released on discretionary parole in 1990. Convicted of armed robbery, use of a firearm, grand larceny, and assault in Chesterfield and Richmond City in 1992. Total active sentence of 60 years. Released on discretionary parole in February 2019. Release conditions state that "Your minimum date of release from supervision is June 28, 2022." No "PPS 60" was ever submitted. Early discharge certificate dated April 8, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Boykins was on parole supervision for only 1 year and 2 months after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

19. Darnell Phillips

Convicted of rape, forcible sodomy, abduction, malicious wounding, and robbery in Virginia Beach in 1991. Sentenced to 107 years. Released on discretionary parole in September 2018. Release conditions state that "Your minimum date of release from supervision is August 10,

2045.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Phillips was on parole supervision for only 1 year and 6 months after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

20. Darrell Smith

Convicted of first-degree murder, abduction, and robbery in Roanoke City in 1982. Sentenced to 105 years. Released on discretionary parole in September 2017. Release conditions state that “Your minimum date of release from supervision is 11/11/2037.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Smith was on parole supervision for only 2 years and 7 months after being incarcerated for 35 years, and no parole officer recommended him for early discharge from supervision.

21. David Ragno

Convicted of two counts of rape, two counts of forcible sodomy, two counts of abduction, two robberies, burglary, and attempted rape in Fairfax and Arlington in 1982. Sentenced to 190 years in prison. Released on discretionary parole in September 2018. Release conditions state that “Your minimum date of release from supervision is December 14, 2077.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Ragno was on parole supervision for only 1 year and 7 months after being incarcerated for 35 years, and no parole officer recommended him for early discharge from supervision.

22. Dawn Egan

Convicted of capital murder of a 6-year-old child in Virginia Beach in 1990 and sentenced to life in prison. Convicted of possession of a weapon by an inmate in Goochland in 1992. Released on discretionary parole in April 2019. Release conditions state that “Your minimum date of release

from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Egan was on parole supervision for only 11 months after being incarcerated for 28 years, and no parole officer recommended her for early discharge from supervision.

23. Dembry White (a/k/a Dembry Shabazz)

Convicted of first-degree murder in Suffolk in 1994 and sentenced to life in prison. Released from Virginia custody on discretionary parole in April 2017 but did not leave custody until April 2018 due to a federal detainer for a parole violation. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. White was on parole supervision for only 2 years after being incarcerated for 22 years, and no parole officer recommended him for early discharge from supervision.

24. Demetrius Hagan

Convicted of possession of cocaine with intent to distribute and possession of a firearm while possessing cocaine in Norfolk in 1994. Sentenced to 20 years. Released on discretionary parole and reincarcerated in 2003 for possession of cocaine. Released on mandatory parole in 2006 and reincarcerated in 2007 for a federal conviction and 14-year sentence for distribution of heroin. After completing his federal sentence, state parole was revoked in 2015 on the original cocaine distribution. Released on discretionary parole in October 2017. Release conditions required supervision until at least April 22, 2022. No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Hagan was on parole supervision for only 2 years and 6 months after two prior parole violations, and no parole officer recommended him for early discharge from supervision.

25. Denaldo Hill

Convicted of first-degree murder, abduction, malicious wounding, robbery, wearing a mask, use of a sawed-off shotgun in a crime of violence, and three counts of use of a firearm in Norfolk in 1994. Sentenced to life in prison plus 80 years. Hill maintained innocence and denied robbing or murdering anyone. CORIS notes from Chair Adrienne Bennett state that she had “serious doubts regarding Mr. Hill’s guilt” and “It is quite likely this man is innocent.” In his first week of parole supervision, Hill reversed the full denial of guilt he had made to VPB and admitted to the parole officer that he and two other individuals planned the robbery for which he was convicted, which directly preceded the murder.¹¹

Released on discretionary parole in Oct. 2017. Parole conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Hill was on parole supervision for only 2 years and 5 months after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

26. Devin Tunstall

Convicted in 1990 of first-degree murder and use of a firearm in Henrico. Sentenced to life in prison plus two years. Released on discretionary parole in July 2017. Release conditions state “Your minimum date of discharge from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Tunstall was on parole supervision for only 2 years and 8 months after being incarcerated for 26 years, and no parole officer recommended him for early discharge from supervision.

27. Diane Fleming

Convicted of first-degree murder and adulteration of a substance with intent to kill for poisoning her husband in Chesterfield in 2002. Sentenced to 30 years in prison. Granted geriatric conditional release in January 2018. Release conditions state that “Your minimum date of release from supervision is April 3, 2028.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Fleming was on supervision for only two years and three months after being incarcerated for 16 years, and no parole officer recommended her for early discharge from supervision.

28. Donald Hawkins

Convicted of eight robberies, attempted robbery, and nine counts of use of a firearm in Newport News and Hampton (1994–95). Total sentence 64 years. Ineligible for discretionary parole under § 53.1-151(B1) for multiple unrelated convictions of armed robbery.¹² Released on discretionary parole in August 2019. Release conditions state “Your minimum date of discharge from supervision is August 8, 2028.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Hawkins was on parole supervision for only eight months after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

29. Eckle Penley

Convicted of four counts of grand larceny and one count of uttering a forgery in Spotsylvania and Fredericksburg in 1984 and 1985. Released on discretionary parole in 1988. Returned to prison in 1991 for convictions of assault and grand larceny. Released again on discretionary parole in 1997. Reincarcerated for a conviction for cocaine possession in 2000. Released again on discretionary parole in 2002. Reincarcerated in 2006 for criminal traffic convictions and utility fraud. Released on parole for a 4th time in 2011. Reincarcerated in 2011 for a felony larceny conviction. Additional prior convictions for burglary, possession of burglarious tools, disorderly conduct, trespass, and passing bad checks. Total active sentence of 43 years.

Released on discretionary parole for a fifth time in May 2019. Release conditions required supervision until May 31, 2021. Parole officer noted in February 2020 that Penley “is not done with parole until 2021.” No “PPS 60” was submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Penley was on supervision for

only 11 months, and no parole officer recommended him for early discharge.

30. Edward Conquest

Convicted of first-degree murder and robbery in Accomack in 1976 and sentenced to two consecutive life sentences. Released on discretionary parole in December 2017. Release conditions state that “Your minimum date of release from supervision is LIFE.” On December 10, 2019, the local parole officer wrote that “This office worked with the defendant to write a Parole Discharge Report, PPS 60, to the parole board.” On February 20, 2020, VPB denied the request for early discharge. The parole officer informed Conquest of the denial on March 17, 2020. No PPS 60 form was subsequently completed by the parole officer. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

31. Emerson Stevens

Convicted of first-degree murder and abduction with intent to defile in Lancaster in 1986; convicted of perjury in Lancaster in 1988. Sentenced to 169 years. Released on discretionary parole in May 2017. Release conditions state that “Your minimum date of release from supervision of December 25, 2098.” No “PPS 60” was submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett. The same day, the parole officer placed a note in Stevens’ file: “PO received notice that [Stevens] is RELEASED from parole as an early release effective this date!?!?! PO had not asked for an early release but knows [Stevens] is involved in a high profile appeal case.” Stevens received an absolute pardon in 2021.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

32. Erik Charles

Convicted of capital murder, robbery, malicious wounding, conspiracy, and three counts of use of a firearm in Richmond City in 1993. Sentenced to life in prison plus 85 years. Convicted of possession of cocaine by an inmate in Augusta in 1995, sentenced to one year. Convicted of possession of marijuana by an inmate in Augusta in 1996, sentenced to 18 months. Released on discretionary parole in August 2018. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 8, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Charles was on supervision for only 1 year and 8 months after being incarcerated for 25 years, and no parole officer recommended

him for early discharge from supervision.

33. Frank Scott

Convicted of first-degree murder, attempted robbery, and use of a firearm in Roanoke City in 1986. Sentenced to life in prison plus 2 years and 6 months. Convicted of two counts of marijuana possession by an inmate in Buckingham in 1988 and unlawful wounding by an inmate in Augusta in 1993. Total sentence of life plus 16 years. Released on discretionary parole in February 2018. Release conditions required lifetime supervision. No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Scott was on supervision for only 2 years and 1 month after being incarcerated for 30 years, and no parole officer recommended him for early discharge from supervision.

34. Gary Draper

Convicted of burglary and unlawful wounding in Roanoke City in 1988. Convicted of first-degree murder, robbery, and fail to return rental property in Roanoke City in 1993. Total sentence of life in prison plus 50 years. Released in May 2018. Release conditions specify that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Draper was on supervision for only 1 year and 10 months after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

35. Gary Kammeter

Convicted of first-degree murder of a 15-year-old girl, attempted murder, two counts of malicious wounding, and use of a firearm in Middlesex in 1995. Convicted of two counts of burglary, four counts of grand larceny, and conspiracy in Mathews in 1995. Total active sentence of life in prison plus 27 years. Prior convictions for destruction of property, receiving a stolen firearm, obliterating a firearm serial number, and three counts of assault and battery by mob. Released on discretionary parole in February 2018. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Kammeter was on supervision for only 2 years and 1 month after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

36. Gary Williams

Convicted of attempted murder, two armed robberies, and three counts of use of a firearm in Richmond City in 1988 and 1989. Convicted of uttering a forged document in Colonial Heights in 1989. Convicted of two armed robberies and two counts of use of a firearm in Hanover in 1989. Sentenced to two life terms plus 44 years. Ineligible for discretionary parole under § 53.1-151(B1) for multiple unrelated convictions of armed robbery.¹³ Released on discretionary parole in January 2018 following reversal of parole ineligibility. Release conditions state that "Your minimum date of release from supervision is LIFE." No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Williams was on supervision for only 2 years and 2 months after being incarcerated for 29 years, and no parole officer recommended him for early discharge from supervision.

37. George Shelton

Convicted of robbery, conspiracy to distribute cocaine, distribution of marijuana, ten counts of uttering bad checks, and two grand larcenies in Goochland, Louisa, Spotsylvania, Fluvanna, and Richmond City between 1989 and 1991. Convicted of malicious wounding by an inmate in 1999. Total sentence of 46 years. Released on discretionary parole in September 2017. Release conditions required supervision through May 2022." No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Shelton was on supervision for only 2 years and 7 months after being incarcerated for 26 years, and no parole officer recommended him for early discharge from supervision.

38. George White

Convicted of four counts of robbery, three counts of use of a sawed-off shotgun in a crime of violence, and three counts of use of a firearm in Norfolk between 1989 and 1990. Convicted of assault & battery on a correctional officer in Greenville in 1992. Total sentence of 98 years and 60 days. Released on discretionary parole in January 2018. Release conditions state that “Your minimum date of release from supervision is November 9, 2039.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. White was on supervision for only two years and three months after being incarcerated for 28 years, and no parole officer recommended him for early discharge from supervision.

39. Golden Harris

Convicted of attempted murder, robbery, conspiracy, and use of a firearm in Pittsylvania in 1992. Sentenced to life plus 22 years. Prior convictions for burglary, grand larceny, trespassing, and brandishing a firearm. Released on discretionary parole in April 2018. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 8, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Harris was on supervision for only 2 years after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

40. Geronimo Muhammad (a/k/a Jerome B. Richardson)¹⁴

Convicted under the name Jerome B. Richardson of robbery and receiving stolen property in Richmond City in 1975. Released on discretionary parole in 1980. Convicted in 1983 of two counts of attempted capital murder, two counts of use of a firearm, and robbery for shooting a police officer in the side, back, and shoulder while fleeing a robbery scene. Total active sentence of life in prison plus 66 years. Prior convictions for burglary, shoplifting, concealment, assault, and disorderly conduct. Released on discretionary parole in December 2017. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Muhammad was on supervision for only 2 years and 4 months after being incarcerated for 34 years, and no parole officer recommended him for early discharge from supervision.

41. Hakim Muhammad

Convicted of involuntary manslaughter in Albemarle in 1993 and sentenced to two years. Convicted of first-degree murder of a 15-year-old, malicious wounding, use of a firearm, and felony fail to appear in Norfolk in 1996. Convicted of possession of a cellphone by a prisoner in Powhatan in 2014. Total active sentence of 70 years. Prior convictions for burglary, robbery, abduction, grand larceny, use of a firearm, possession of cocaine, and two counts of assault and battery. Released on discretionary parole in January 2019. Release conditions state that "Your minimum date of release from supervision is December 27, 2046." No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Muhammad was on supervision for only 1 year and 3 months after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

42. Hellis McNulty

Convicted of 9 armed robberies and 8 counts of use of a firearm in Virginia Beach, Norfolk, and Hampton between 1994 and 1995. Sentenced to 55 years. Prior conviction for attempted criminal possession of a weapon in New York. Ineligible for discretionary parole under § 53.1-151(B1) for multiple unrelated convictions of armed robbery.¹⁵ Released on discretionary parole in September 2017 following reversal of parole ineligibility. Release conditions required supervision until at least January 12, 2022. In January 2020 the parole officer confirmed with McNulty that his minimum supervision date was in January 2022, and that he did not qualify for early discharge from supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. McNulty was on supervision for only 2 years and 7 months after being incarcerated for 22 years, and no parole officer recommended him for early discharge from supervision.

43. Henry Tipold

Convicted of rape and two armed burglaries in Danville in 1979. Sentenced to three consecutive life terms. Prior convictions in Virginia for 13 counts of burglary, 12 counts of grand

larceny, and 2 counts of petit larceny. Prior convictions in New Jersey for at least 40 felonies, including burglaries and theft. In 2015, the former VPB chair noted that a prior sex offender risk assessment for Tipold indicated a “Moderately High Risk.” Released on discretionary parole in August 2017. Release conditions required lifetime supervision. No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Tipold was on supervision for only 2 years and 8 months after being incarcerated for 37 years, and no parole officer recommended him for early discharge from supervision.

44. Herbert Robertson

Convicted of eight robberies in Norfolk in 1984. Sentenced to two consecutive life terms plus 300 years. Ineligible for discretionary parole under § 53.1-151(B1) for multiple unrelated convictions of armed robbery.¹⁶ Released on discretionary parole in January 2018. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Parole officer noted in April 2020 that “Quite ‘out of the blue’ PO received formal notice that the Parole Board has granted an EARLY RELEASE from Parole to S effective 4-5-20! This was a Board action and had not been requested by PO.” Multiple early discharge certificates dated March 27, 2020 and April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Robertson was on supervision for only 2 years and 4 months after being incarcerated for 33 years, and no parole officer recommended him for early discharge from supervision.

45. James Bullock

Convicted of malicious wounding in Norfolk in 1978. Convicted of possession of a weapon by an inmate in Chesapeake in 1982. Convicted of six robberies and four counts of use of a firearm in Norfolk in 1982. Convicted of malicious wounding of a correctional officer in Richmond City in 1986. Prior convictions for rape in North Carolina, and burglary, robbery, larceny, and possession of a concealed weapon in Virginia. Total sentence of 154 years. Granted geriatric conditional release in May 2018. Release conditions state that “Your minimum date of release from supervision is October 12, 2060.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Bullock was on supervision for only 1 year and 11 months after being incarcerated for 39 years, and no parole officer recommended him for early discharge from supervision.

46. James Hall

Convicted of capital murder and first-degree murder in Virginia Beach in 1993. Sentenced to life plus 20 years. Released on discretionary parole in December 2017. Release conditions state that "Your minimum date of release from supervision is LIFE." No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Hall was on supervision for only 2 years and 3 months after being incarcerated for 26 years, and no parole officer recommended him for early discharge from supervision.

47. James Latta

Convicted of two counts of first-degree murder and two counts of use of a firearm in Loudoun in 1983. Sentenced to two life terms (one suspended) plus four years. Convicted of escaping from Buckingham prison in 1985 and sentenced to five years. Convicted of attempting to escape from Powhatan prison in 1985. Convicted of destruction of property and possession of a weapon by an inmate in Richmond City in 1986. Total active sentence of life in prison plus 10 years and 6 months. Released on discretionary parole in May 2018. Release conditions state that "Your minimum date of release from supervision is LIFE." No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Latta was on supervision for only 1 year and 10 months after being incarcerated for 35 years, and no parole officer recommended him for early discharge from supervision.

48. James Simpson

Convicted of capital murder, malicious wounding, robbery, conspiracy, use of a firearm, and use of a sawed-off shotgun in a crime of violence in Norfolk in 1983 (the robbery and malicious wounding were part of a separate crime). Total sentence of life in prison plus 76 years. Released on discretionary parole in October 2017. Release conditions state that "Your minimum date of release from supervision is LIFE." No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Simpson was on supervision for only 2 years and 6 months after being incarcerated for 34 years, and no parole officer recommended him for early discharge from supervision.

49. James Starkey

Convicted of first-degree murder, robbery, and use of a firearm in Loudoun in 1993. Sentenced to life plus 52 years. Released on discretionary parole in February 2018. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Starkey was on supervision for only 2 years and 2 months after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

50. James Waters

Convicted of first-degree murder, malicious wounding, and two counts of use of a firearm in Lynchburg in 1995. Sentenced to 78 years. Released on discretionary parole in October 2017. Release conditions state that "Your minimum date of release from supervision is 1/12/2046." No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Waters was on supervision for only 2 years and 5 months after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

51. Jamie Gaiters

Convicted of first-degree murder, conspiracy to commit murder, use of a firearm, distribution of cocaine, possession of a firearm with cocaine, and possession of a firearm by a convicted felon in Richmond City in 1993. Total sentence of life in prison plus 22 years. Prior convictions for malicious wounding, distribution of cocaine, brandishing a firearm, and assault. Released on discretionary parole in January 2019. Release conditions state that "Your minimum

date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 8, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Gaiters was on supervision for only 1 year and 4 months after being incarcerated for 24 years, and no parole officer recommended him for early discharge from supervision.

52. Jay Gould

Convicted of seven robberies, five abductions, malicious wounding, possession of cocaine, and petit larceny in Fairfax, Alexandria, and Arlington in 1993. Sentenced to life plus 58 years. Prior convictions for grand larceny, shoplifting, and assault. Released on discretionary parole in September 2017. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Gould was on supervision for only 2 years and 7 months after being incarcerated for 24 years, and no parole officer recommended him for early discharge from supervision.

53. Jeffrey Austin

Convicted of first-degree murder in Smyth in 1976 and sentenced to 50 years. Convicted under a recidivist statute in Richmond in 1977 (prior convictions for burglary, grand larceny, assault, and fraud). Convicted of malicious wounding by an inmate in Powhatan in 1986 and possession of a weapon by an inmate in Nottoway in 1987. Convicted again of malicious wounding by an inmate in Nottoway in 1988. Convicted of destruction of property in Richmond City in 1990. Total sentence of 73 years. Released on discretionary parole in July 2017. Release conditions state that “Your minimum date of release from supervision is August 26, 2023.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Austin was on supervision for only 2 years and 9 months after being incarcerated for 41 years, and no parole officer recommended him for early discharge from supervision.

54. Jeffrey Bowen

Convicted of capital murder, robbery, and use of a firearm in Hampton in 1992. Sentenced to life in prison plus 52 years. Convicted of robbery in Newport News in 1992 and sentenced to 5 years. Convicted of possession of a weapon by an inmate in Brunswick in 2003. Total sentence of life plus 57 years. Released on discretionary parole in November 2018. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Bowen was on supervision for only 1 year and 4 months after being incarcerated for 26 years, and no parole officer recommended him for early discharge from supervision.

55. Jeffrey Suggs

Convicted of first-degree murder and robbery in Roanoke City in 1984 after throwing a 72-year-old man off a bridge. Convicted of eight forgeries and three counts of uttering a forgery in Botetourt in 1984 for forging checks stolen from the murder victim. Total sentence of life in prison plus 11 years. Released on discretionary parole in October 2018. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Suggs was on supervision for only 1 year and 6 months after being incarcerated for 34 years, and no parole officer recommended him for early discharge from supervision.

56. Jeffrey Treffert

Convicted of first-degree murder for beating his mother to death with a bowling ball in Chesapeake in 1987. Sentenced to life in prison. Prior convictions for burglary and grand larceny. Released on discretionary parole in December 2018. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision

only after five years, and upon a parole officer's recommendation. Treffert was on supervision for only 1 year and 4 months after being incarcerated for 32 years, and no parole officer recommended him for early discharge from supervision.

57. Jimmy Johnson

Convicted in 1967 of burglary, attempted burglary, grand larceny, and receiving stolen property in Newport News and Suffolk. Released on parole; convicted of attempted murder and attempted robbery in 1971 in Newport News. Escaped prison in 1973 and committed an armed robbery in Maryland (convicted, 10-year sentence); also convicted of escape in Virginia. Released on parole in 1981. Convicted of five robberies, malicious wounding, and five counts of use of a firearm in Richmond City, Hampton, and Newport News in 1982 and 1983. Prior convictions for burglaries and grand larcenies. Sentenced to two life terms plus 135 years. Released on parole in January 2019. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Johnson was on supervision for only 1 year and 2 months after being incarcerated for 36 years, and no parole officer recommended him for early discharge from supervision.

58. Joey Hinton

Convicted of three counts of robbery, attempted robbery, and four counts of use of a firearm in Henrico and Richmond City in 1983. Sentenced to 20 years. Released on discretionary parole in June 1991. Convicted of 3 robberies, abduction, and concealment in Henrico, Chesterfield, and Richmond City in 1992. Sentenced to 30 years and 3 months. Total sentence of 69 years and 3 months (includes other crimes). Granted geriatric conditional release in December 2018. Release conditions state that "Your minimum date of release from supervision is June 9, 2022." No "PPS 60" was ever submitted. Hinton tested positive for unprescribed opiates and fentanyl in February 2020. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Hinton was on supervision for only one year and two months after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

(3) Virginia Code § 53.1-136 permitting VPB to issue final discharges from parole supervision "when the Board is of the opinion that the discharge of the parolee will not be incompatible with the welfare of such person or society." It was incompatible with the welfare of Hinton and society for VPB to discharge him from parole supervision after a recent positive test

for dangerous controlled substances, and before the parole officer could address the issue.

59. John Barnes

Committed voluntary manslaughter in Henry in 1983; not charged and convicted until 2000. Convicted of first-degree murder and use of a firearm in Highland in 1986. Total sentence of life in prison plus eight years. Released on discretionary parole in January 2015. Release conditions state that “Your minimum date of release from supervision is Life.” No “PPS 60” was ever submitted. The record of early discharges prepared by Chair Bennett contains a notation stating (Requested by Cal’Vina). VPB records contain no evidence that Cal’Vina Turner or any other probation and parole officer requested that John Barnes be discharged early from supervision. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only upon a parole officer’s recommendation. Barnes was on supervision for five years and four months, but no parole officer recommended him for early discharge from supervision.

(3) Violation of Va. Code § 18.2-472

There is probable cause to believe that Chair Bennett fraudulently made a false entry in a record in her keeping and belonging to her office by representing that Cal’Vina Turner had requested that John Barnes be discharged early from parole supervision. Turner stated in an interview that she had not requested Barnes’ early discharge, and that Chair Bennett’s claim that she had done so was “false” and “a lie.” Turner also stated that she never requested early discharges from parole supervision of her own accord. We found that no other probation or parole officer had submitted a “PPS 60” report or otherwise requested that Barnes be discharged from supervision.

To falsely certify that a parole officer requested a parolee’s early discharge is to falsely represent that VADOC officially approved the discharge, implicating § 18.2-472. This offense is not prosecutable because the statute of limitations has elapsed.¹⁷

60. Joseph Carter

Convicted of first-degree murder, burglary, robbery, and attempted robbery in Norfolk in 1990. Sentenced to two life terms plus 30 years. Released on discretionary parole in November 2016. Release conditions state that “Your minimum date of release from supervision is November 4, 2026.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett. Carter received an absolute pardon in 2021.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

61. Joseph Muhammad (a/k/a Joseph Tyler)

Convicted of two counts of first-degree murder, two counts of abduction, and four counts

of use of a firearm in Chesapeake in 1993. Sentenced to a total of 54 years. Released on discretionary parole in June 2017 with release conditions stating “Your minimum date of release from supervision is January 17, 2021.” No “PPS 60” was ever submitted. Early discharge certificate dated April 13, 2020 uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Muhammad was on supervision for only 2 years and 10 months after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

62. Kenneth Carney

Convicted of malicious wounding in Norfolk in 1987. Probation revoked for new misdemeanor convictions and absconding from supervision. Sentenced to 6 months in jail and continued on probation. Following release, convicted of malicious wounding and robbery in Norfolk in 1990. Total sentence of 72 years and 90 days. Prior convictions for assault & battery, petit larceny, false identification to law-enforcement, and underage possession of alcohol. Released on discretionary parole in November 2017. Release conditions state that “Your minimum date of release from supervision is December 17, 2031.” No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett. Carney was arrested for felony possession of a schedule I/II controlled substance in Chesapeake in February 2021 and later pled guilty. Convicted of DUI with an elevated blood alcohol content in Chesapeake in November 2021. Convicted of contempt of court in Chesapeake in September 2022.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Carney was on supervision for only 2 years and 5 months after being incarcerated for 26 years, and no parole officer recommended him for early discharge from supervision.

63. Kenneth Cooper

Convicted of first-degree murder, two robberies, four attempted robberies, four counts of use of a firearm, shooting into an occupied vehicle, shooting into an occupied dwelling, and grand larceny of an auto in Accomack in 1993. Sentenced to life in prison plus 79 years. Released on discretionary parole in April 2017. Release conditions state that “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Cooper was on supervision for only 2 years and 11 months after being incarcerated for 24 years, and no parole officer recommended him for early discharge from supervision.

64. Kenneth Davis

Convicted of first-degree murder and use of a firearm in Fauquier in 1979. Sentenced to life plus 1 year. Released on parole in January 2010 with conditions requiring lifetime supervision. A VPB employee placed a note in Davis's file in July 2010 stating that "A parole discharge can be submitted in this case after five years of successful supervision." No "PPS 60" was ever submitted. The record of early discharges prepared by Chair Bennett contains a notation stating (Requested by Cal'Vina). VPB records contain no evidence that Cal'Vina Turner or any other probation and parole officer requested that Kenneth Davis be discharged early from supervision. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only upon a parole officer's recommendation. While Davis was on parole supervision for ten years of his life term, no parole officer had recommended him for early discharge from supervision.

(3) Violation of Va. Code § 18.2-472

There is probable cause to believe that Chair Bennett fraudulently made a false entry in a record in her keeping and belonging to her office by representing that Cal'Vina Turner had requested that Kenneth Davis be discharged early from parole supervision. Turner stated in an interview that she had not requested Davis' early discharge, and that Chair Bennett's claim that she had done so was "false" and "a lie." Turner also stated that she never requested early discharges from parole supervision of her own accord. We found that no other probation or parole officer had submitted a "PPS 60" report or otherwise requested that Davis be discharged from supervision.

To falsely certify that a parole officer requested a parolee's early discharge is to falsely represent that VADOC officially approved the discharge, implicating § 18.2-472. This offense is not prosecutable because the statute of limitations has elapsed.¹⁸

65. Khalid Karim

Convicted of first-degree murder and abduction in Fairfax in 1997 (1993 offense date). Sentenced to life plus 10 years. Prior malicious wounding conviction. Released on discretionary parole in October 2018. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision

only after five years, and upon a parole officer's recommendation. Karim was on supervision for only 1 year and 6 months after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

66. Khalid Muhammad (a/k/a Stephen Cook)

Convicted of capital murder, malicious wounding, robbery, and two counts of use of a firearm under the name Stephen Cook in Norfolk in 1988. Sentenced to life plus 21 years. Released on parole in Nov. 2018. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Muhammad was on supervision for only 1 year and 5 months after being incarcerated for 30 years, and no parole officer recommended him for early discharge from supervision.

67. King Lumumba (a/k/a Bennie Leavell)

Convicted of first-degree murder and robbery in Norfolk in 1992 under the name Bennie Leavell. Sentenced to life plus 20 years. Released on parole in May 2018. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Lumumba was on supervision for only 1 year and 11 months after being incarcerated for 26 years, and no parole officer recommended him for early discharge from supervision.

68. Kye Price

Convicted of four abductions, two robberies, burglary, and use of a firearm for a home invasion robbery in Fairfax in 1993. Total sentence of 75 years. Prior convictions for burglary, grand larceny, attempted grand larceny, receiving stolen property, and grand larceny of an automobile. Released on discretionary parole in August 2017. Release conditions state that "Your minimum date of release from supervision is November 12, 2032." No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision

only after five years, and upon a parole officer's recommendation. Price was on supervision for only 2 years and 8 months after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

69. Larry Macon

Convicted of robbery and use of a firearm in Richmond City in 1977. Convicted of first-degree murder and use of a firearm in Chesterfield in 1978. Sentenced to life plus nine years. Released on parole in December 2017. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. In January 2019, the parole officer lowered Macon's supervision level because "he is on parole and not a candidate for early termination." Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Macon was on supervision for only 2 years and 3 months after being incarcerated for 40 years, and no parole officer recommended him for early discharge from supervision.

70. Larry Wimmer

Convicted of first-degree murder in Norfolk in 1990 and sentenced to life in prison. Released on discretionary parole in March 2018. Release conditions state that "Your minimum date of release from supervision is LIFE." No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Wimmer was on supervision for only 2 years and 1 month after being incarcerated for 27 years, and no parole officer recommended him for early discharge from supervision.

71. Lavar White

Convicted of first-degree murder, robbery, malicious wounding, and three counts of use of a firearm in Richmond City in 1995. Convicted of possession of marijuana by an inmate in Southampton in 1997. Sentenced to life plus 45 years. Released on parole in December 2017. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett. Arrested for DUI in Chesterfield in July 2022. Convicted of DUI in November 2022.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge

certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. White was on supervision for only 2 years and 4 months after being incarcerated for 22 years, and no parole officer recommended him for early discharge from supervision.

72. Malcolm Muhammad (a/k/a Brian Malcolm Elliott)

Convicted of rape, forcible sodomy, two robberies, attempted robbery, two counts of use of a firearm, and two counts of accessory after the fact to a felony in Norfolk in 1986. Sentenced to life plus 47 years. Released on discretionary parole in September 2017. Release conditions state that "Your minimum date of release from supervision is LIFE." No "PPS 60" was ever submitted. Early discharge certificate dated April 13, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Muhammad was on supervision for only 2 years and 7 months after being incarcerated for 32 years, and no parole officer recommended him for early discharge from supervision.

73. Marcellus Martin

Convicted of capital murder, robbery, malicious wounding, and use of a firearm in Albemarle in 1984. Sentenced to life plus 22 years. Released on parole in June 2018. Release conditions required lifetime supervision. VPB approved the parole officer's request to reduce Martin's supervision level in November 2019. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Martin was on supervision for only 1 year and 10 months after being incarcerated for 34 years, and no parole officer recommended him for early discharge from supervision.

74. Mario Rojas

Convicted of first-degree murder, malicious wounding, and two counts of use of a firearm in Alexandria in 1989. Sentenced to life plus 26 years. Released on discretionary parole in July 2018. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge

certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Rojas was on supervision for only 1 year and 8 months after being incarcerated for 29 years, and no parole officer recommended him for early discharge from supervision.

75. Mark Reibsome

Convicted of first-degree murder, abduction, and attempted escape for tying up a correctional officer, gagging him, and suffocating him to death while incarcerated in 1984. Total sentence of life plus 21 years. Prior convictions for multiple burglaries. Released on discretionary parole in April 2017. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Reibsome was on supervision for only 3 years after being incarcerated for 32 years, and no parole officer recommended him for early discharge from supervision.

76. Marlo Jarmon

Convicted of first-degree murder and use of a firearm in Hampton in 1994. Sentenced to life plus 3 years. Prior conviction for burglary. Released on discretionary parole in April 2017. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Jarmon was on supervision for only 3 years after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

77. Marvin Jennings

Convicted of first-degree murder of his wife and use of a firearm in Salem in 1984. Sentenced to life plus 2 years. Released on discretionary parole in August 2014. Release conditions state that "Your minimum date of release from supervision is Life." No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Jennings was supervised for over 5 years, but no parole officer recommended him for early discharge from supervision.

78. Melvin Jenkins

Convicted of first-degree murder and four counts of arson in Frederick in 1988. Convicted of conspiracy to possess marijuana by an inmate in Augusta in 1991. Total sentence of 83 years. Prior conviction for multiple burglaries, petit larceny, and trespass. Released on discretionary parole in November 2017. Release conditions state that "Your minimum date of release from supervision is November 30, 2032." No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Jenkins was on supervision for only 2 years and 5 months after being incarcerated for 29 years, and no parole officer recommended him for early discharge from supervision.

79. Michael Bourne

Convicted of first-degree murder and conspiracy to commit murder in Virginia Beach in 1993. Sentenced to life plus 20 years. Released on discretionary parole in December 2017. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Bourne was on supervision for only 2 years and 3 months after being incarcerated for 24 years, and no parole officer recommended him for early discharge from supervision.

80. Michael Gaumer

Convicted of first-degree murder, maiming, and robbery in Gloucester in 1993. Sentenced to 60 years. Committed almost 100 institutional infractions while incarcerated. Released on discretionary parole in October 2017. Release conditions state that "Your minimum date of release from supervision is December 19, 2026." No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after 5 years of supervision, and upon a parole officer's recommendation. Gaumer was on supervision for only 2 years and 5 months after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

81. Michael Henry

Convicted of involuntary manslaughter in Portsmouth in 1988 and sentenced to 6 years. Convicted of first-degree murder, two robberies, and two counts of use of a firearm in Norfolk and Portsmouth in 1989. Sentenced to 72 years. Released on parole in August 2017. Release conditions required supervision through at least May 2029. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Henry was on supervision for only 2 years and 7 months after being incarcerated for 29 years, and no parole officer recommended him for early discharge from supervision.

82. Monty King

Convicted of first-degree murder for beating a 67-year-old woman to death with his fists, robbery, and attempted robbery in Arlington in 1986 and 1987. Total sentence of life in prison plus 12 years. Released on discretionary parole in September 2017. Release conditions state "Your minimum date of release from supervision is S-LIFE." No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. King was on supervision for only 2 years and 6 months after being incarcerated for 29 years, and no parole officer recommended him for early discharge from supervision.

83. Norris Timmons

Convicted of two counts of first-degree murder, robbery, and two counts of use of a firearm in Henrico in 1990. Sentenced to 70 years. Released on discretionary parole in December 2015. Release conditions required supervision through at least June 2024. No "PPS 60" was ever submitted. In 2019, a local parole officer emailed her deputy chief parole officer stating that Timmons had requested early release from supervision, but she had explained that parole cases were required to be on supervision for 5 years. The deputy chief parole officer replied, "No, he'll be eligible for consideration in December of 2020. That will mark his five-year point." Early discharge certificate dated April 8, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Timmons was supervised for 4 years and 4 months, and no parole officer recommended him for early discharge from supervision.

84. Pamela Burroughs

Convicted of first-degree murder, robbery, two counts of distribution of PCP, and one count of possession of PCP in Winchester and Frederick in 1987. Sentenced to life plus 5 years. Released on discretionary parole in August 2017. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett. Arrested for shoplifting in Frederick in December 2020. Convicted of shoplifting in Frederick in February 2021. Arrested for shoplifting in Winchester in August 2022. Convicted of shoplifting in Winchester in September 2022.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Burroughs was on supervision for only 2 years and 7 months after being incarcerated for 31 years, and no parole officer recommended him for early discharge from supervision.

85. Pamela Scott

Convicted of first-degree murder and robbery in Hampton in 1987; sentenced to two life sentences. Released on parole in October 2016 with release conditions requiring lifetime supervision. A parole officer submitted an early discharge request to VPB in June 2019 without going through the appropriate channels. VPB returned the request to the correct parole officer in August 2019. That officer completed a "PPS 60" on August 27, 2019. The local parole officer was notified on September 3, 2019 that Scott was arrested for driving while impaired on August 14, 2019 while on Interstate Compact supervision in North Carolina. The "PPS 60" was withdrawn as a result, and the pending DUI was documented in CORIS notes available to VPB. Early discharge certificate dated March 27, 2020 uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Scott was on parole supervision for 3 years and 7 months after being incarcerated for 29 years, and the parole officer withdrew the recommendation for early discharge when she was charged with DUI.

(3) Virginia Code § 53.1-136 permitting VPB to issue final discharges from parole

supervision “when the Board is of the opinion that the discharge of the parolee will not be incompatible with the welfare of such person or society.” Scott had a pending DUI in North Carolina when VPB discharged her from supervision, and she was convicted later in 2020. It was incompatible with the welfare of society for VPB to discharge Scott from parole supervision while she had a pending criminal charge for DUI.

86. Paul Garnett

Convicted of first-degree murder and burglary in Virginia Beach in 1982 and sentenced to two life terms. Released on discretionary parole in September 2017. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

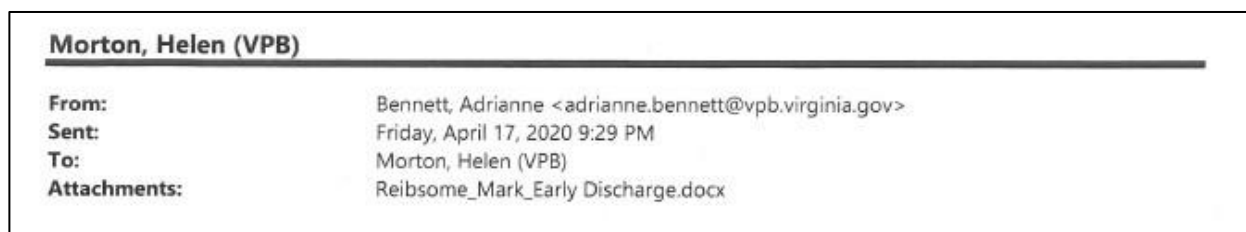
VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Garnett was on supervision for only 2 years and 6 months after being incarcerated for 33 years, and no parole officer recommended him for early discharge from supervision.

87. Paul Sorensen

Convicted of first-degree murder and robbery in Fairfax in 2003 (offense date in 1975) and sentenced to 25 years. Released on mandatory parole in January 2015. Release conditions state “Your minimum date of release from supervision is 1/5/2025.” No “PPS 60” was ever submitted. The record of early discharges prepared by Chair Bennett contains a note stating (Requested by Helen Morton). On April 17, 2020, the day after Chair Bennett’s term as VPB chair ended and she became a judge, she emailed a backdated, mistitled (under the name Mark Reibsome) early discharge certificate for Sorensen, dated April 13, 2020, to VPB employee Helen Morton. Investigators viewed the original .pst file for the below email and found it to contain a discharge certificate for Paul Sorensen, despite the attachment being labeled in the name of a different offender, Mark Reibsome:



VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only upon a parole officer’s recommendation. Sorensen was on supervision for 5 years and 4 months, but he had not been recommended by a parole officer for early discharge from supervision.

(3) Canons of Judicial Conduct 2N prohibiting executive or legislative appointments except on matters concerning the law, the legal system, or the administration of justice. After the conclusion of her term as VPB Chair, and during service as a judge, Judge Bennett continued to transact VPB's business by granting Paul Sorensen early discharge from parole supervision. Judge Bennett confirmed in an interview that she assisted with the VPB transition after taking the bench.

(4) Violation of Va. Code § 18.2-472

There is probable cause to believe that Chair Adrienne Bennett fraudulently made a false entry in a record in her keeping and belonging to her office by representing that VPB employee Helen Morton had requested that Paul Sorensen be discharged early from parole supervision. Morton stated in an interview that she had not requested Sorensen's early discharge; to the contrary, Morton stated that she never requested early discharges herself and always required a "PPS 60" Parole Discharge Report from a local parole officer before proceeding. We found that no other probation or parole officer had submitted a "PPS 60" report or otherwise requested that Sorensen be discharged from supervision.

To falsely certify that a parole officer requested a parolee's early discharge is to falsely represent that VADOC officially approved the discharge, implicating § 18.2-472. This offense is not prosecutable because the statute of limitations has elapsed.¹⁹

88. Paul Taylor

Convicted of first-degree murder, malicious wounding, two counts of possession of a firearm by a convicted felon, and two counts of use of a firearm in Newport News in 1995. Sentenced to life in prison plus 26 years. Prior convictions for robbery, distribution of cocaine, and assault. Released on discretionary parole in July 2017. Release conditions state "Your minimum date of release from supervision is LIFE." No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Taylor was on supervision for only 2 years and 8 months after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

89. Richard Boye

Convicted of first-degree murder, robbery, and burglary in Richmond City in 1990 for beating a 78-year-old man to death; also convicted of possessing psilocin in Richmond in 1990. Sentenced to life plus 30 years. Prior convictions for multiple burglaries. Released on discretionary parole in February 2018. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Boye was on supervision for only 2 years and 2 months after being incarcerated for 28 years, and no parole officer recommended him for early discharge from supervision.

90. Richard Johnson

Convicted of five burglaries, grand larceny, and escape from custody in Richmond City and Charlotte in 1986 and 1987. Sentenced to 90 years. Released on parole in 1995. Convicted of DUI in Richmond in 1997, DUI 2nd offense in Nottoway in 1998, and DUI in Nottoway in 1999. Convicted of burglary, grand larceny of a firearm, and driving after being adjudged a habitual offender in Amelia in 2001. Discretionary parole was revoked. Released again on discretionary parole in 2010. Convicted of felony eluding police, felony hit & run, and driving after being adjudged a habitual offender in Amelia in 2011. Discretionary parole was again revoked. Convicted of obstruction of justice in Powhatan in 2012. Total active sentence (for all offenses) of 103 years and 30 months. Released on discretionary parole in October 2017. Release conditions state "Your minimum date of release from supervision is December 4, 2049." No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett. Arrested for DUI in Chesterfield in September 2020. Convicted of DUI in February 2021.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Johnson was on supervision for only 2 years and 6 months after being released from incarceration for his third parole violation, and no parole officer recommended him for early discharge from supervision.

91. Richard Williams

Convicted of first-degree murder, malicious wounding, and two counts of use of a firearm in Newport News in 1993. Sentenced to 46 years. Convicted of unlawful wounding, marijuana possession, and assault and battery by an inmate in Greenville in 1998. Sentenced to 2 years. Released on mandatory parole in January 2018. Release conditions state "Your minimum date of release from supervision is January 9, 2028." At his intake with the parole officer, Williams "stated that he was hoping he would not have to do the full 10 years [on supervision]. PO explained to [Williams] that he will not be eligible for early release." No "PPS 60" was ever submitted. Early discharge certificate dated April 8, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Williams was on supervision for only 2 years and 4 months after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

92. Rick Herring

Convicted of first-degree murder and use of a firearm in Fairfax in 1994. Sentenced to life in prison plus three years. Released on discretionary parole in September 2018. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Herring was on supervision for only 1 year and 6 months after being incarcerated for 25 years, and no parole officer recommended him for early discharge from supervision.

93. Robert Ashby

Convicted of capital murder of a 75-year-old man, robbery, and two counts of malicious wounding in Chesapeake in 1988. Sentenced to two consecutive life sentences plus 20 years. Prior convictions for destruction of property, unlawfully discharging a firearm, assault & battery, and trespassing. Released on discretionary parole in October 2017. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Ashby was on supervision for only 2 years and 5 months after being incarcerated for 29 years, and no parole officer recommended him for early discharge from supervision.

94. Robert Foglia

Convicted of first-degree murder and robbery in Carroll in 1991. Sentenced to life plus 75 years. Released on discretionary parole in September 2017. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Foglia was on supervision for only 2 years and 7 months after being incarcerated for 26 years, and no parole officer recommended him for early discharge from supervision.

95. Robert Mayton

Convicted of capital murder, first-degree murder, robbery, and two counts of use of a firearm in Amherst in 1987. Sentenced to two life terms plus 31 years. Released on discretionary parole in May 2015. Release conditions required lifetime supervision. No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only upon a parole officer’s recommendation. Mayton was on supervision for 4 years and 11 months after serving 28 years in prison, but no parole officer recommended him for early discharge from supervision.

96. Ronald Thatcher

Convicted of capital murder of a sheriff’s deputy in Williamsburg in 1979 and sentenced to life. Convicted of possession of drugs by an inmate in Southampton in 1987. Released on parole in Sept. 2018. Release conditions required lifetime supervision. No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Thatcher was on supervision for only 1 year and 6 months after being incarcerated for 39 years, and no parole officer recommended him for early discharge from supervision.

97. Roosevelt Turner

Convicted of first-degree murder of his wife, malicious wounding (paralyzed his daughter-in-law), and use of a firearm in Richmond City in 1977. Sentenced to life plus 21 years. Released on parole in May 2017. Release conditions required lifetime parole. No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Turner was on supervision for only 2 years and 11 months after being incarcerated for 40 years, and no parole officer recommended him for early discharge from supervision.

98. Samuel Holloway

Convicted of two robberies, two malicious woundings, and four counts of use of a firearm in Portsmouth in 1992. Holloway and others robbed, took hostage, and shot four 16-year-olds. Sentenced to 124 years. Released on discretionary parole in February 2016. Release conditions state “Your minimum date of release from supervision is 6/19/2056.” No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Holloway was on supervision for 4 years and 2 months after being incarcerated for 23 years, and no parole officer recommended him for early discharge from supervision.

99. Shakeel Ali (a/k/a Charles McGuffin Jr.)

Between 1992 and 1995, convicted of seven forgeries, five counts of uttering a forgery, and felony larceny in Chesterfield, Staunton, and Albemarle. Released on discretionary parole in 2004. Convicted of two counts of felony larceny and failing to report the arrests in 2008; parole revoked. Released on discretionary parole again in 2013. Convicted again in 2015 of shoplifting and possession of burglarious tools. Told a parole examiner in 2017 that he had an addiction to stealing. Total sentence of 51 years and 19 months. Released on parole in March 2018. Release conditions required supervision through at least March 2029. No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only upon a parole officer’s recommendation. Ali had three prior parole violations for committing new crimes, and he was not recommended by a parole officer for early discharge from supervision.

100. Shawn Robinson

Convicted of first-degree murder and use of a firearm in Henrico in 1990. Sentenced to life plus 2 years. Released on discretionary parole in January 2019. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Robinson was on supervision

for only 1 year and 3 months after being incarcerated for 27 years, and no parole officer recommended him for early discharge from supervision.

101. Sheldon McDowell

Convicted of first-degree murder, attempted murder, four counts of robbery, and five counts of use of a firearm in Prince William in 1993. Sentenced to 95 years. Co-defendant Carl Chichester executed in 1999. Prior convictions for attempted armed robbery, use of a firearm, robbery, malicious wounding, possession of a concealed weapon, obliteration of a serial number, and DUI. Released on discretionary parole in June 2018. Release conditions state “Your minimum date of release from supervision is October 24, 2038.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. McDowell was on supervision for only 1 year and 10 months after being incarcerated for 24 years, and no parole officer recommended him for early discharge from supervision.

102. Steven Vanfleet

Convicted of first-degree murder, attempted murder, two malicious woundings, and four counts of use of a firearm in Middlesex in 1999. Sentenced to 90 years. Released on discretionary parole in February 2018. Release conditions state “Your minimum date of release from supervision is September 18, 2052.” No “PPS 60” was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Vanfleet was on supervision for only 2 years and 1 month after being incarcerated for 22 years, and no parole officer recommended him for early discharge from supervision.

103. Sylvester Boyd

Convicted of first-degree murder, robbery, and two counts of use of a firearm in Richmond City in 1999. Sentenced to life plus 36 years. Released on discretionary parole in December 2017. Release conditions required lifetime supervision. No “PPS 60” was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Boyd was on supervision for only 2 years and 4 months after being incarcerated for 30 years, and no parole officer recommended him for early discharge from supervision.

104. Timothy Duffy

Convicted of first-degree murder and arson in Hampton in 1981; sentenced to two life terms. Prior convictions for robbery, burglary, abduction, and grand larceny. Released on parole in Sept. 2017. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Duffy was on supervision for only 2 years and 6 months after being incarcerated for 34 years, and no parole officer recommended him for early discharge from supervision.

105. Troy Johnson

Convicted of three counts of first-degree murder and three counts of use of a firearm in Norfolk in 1994. Sentenced to three life terms plus 10 years. Released on discretionary parole in September 2017. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Johnson was on supervision for only 2 years and 7 months after being incarcerated for 24 years, and no parole officer recommended him for early discharge from supervision.

106. Tyrone Hamlette

Convicted of nine armed robberies, eight counts of use of a firearm, grand larceny, and forgery in Norfolk, Virginia Beach, Chesapeake, and Portsmouth in 1984. Sentenced to 94 years. Ineligible for discretionary parole under Code § 53.1-151(B1) for multiple unrelated armed robberies. Granted geriatric conditional release in May 2018. Release conditions required supervision through at least Jan. 2034. No "PPS 60" was ever submitted. In September 2019, a parole officer made a note in Hamlette's file stating that "Client is on Discretionary Parole²⁰ and would not be eligible for ER [early release] until 5 years. He has only been on parole a little over one year." Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Hamlette was on supervision for only 1 year and 11 months after being incarcerated for 31 years, and no parole officer recommended him for early discharge from supervision.

107. Tyrone Wyche

Convicted of six robberies in Fairfax, Arlington, and Alexandria in 1979. Sentenced to 27 years. Released on parole in 1983. Absconded from parole and extradited to Virginia after being arrested in California in February 1986 for burglary, receiving stolen property, and auto theft. Parole revoked for absconding; released again in 1989. Absconded from supervision again. Convicted of eleven robberies, four attempted robberies, grand larceny, and use of a firearm in Alexandria, Prince William, and Fairfax in 1990 and 1991. Convicted of 5 robberies in Maryland in 1993. Sentenced to 50 years. Prior convictions in DC, NJ, and PA for burglary, receiving stolen property, grand larceny, and escaping custody. Released on parole in February 2018. Release conditions required supervision through at least March 2024. No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Wyche was on supervision for only 2 years and 1 month after being incarcerated for 27 years, and no parole officer recommended him for early discharge from supervision.

108. Vicki Moore

Convicted of raping a 12-year-old boy in Fairfax in 2015 (1992 offense). Sentenced to 7 years. Released on discretionary parole in July 2017. Release conditions state "Your minimum date of release from supervision is June 14, 2018." No "PPS 60" was ever submitted. Early discharge certificate dated April 6, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

109. Virgil Fox III

Convicted of two counts of first-degree murder and arson in Nelson in 1992. Sentenced to two life terms. Released on discretionary parole in July 2018. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Fox was on supervision for only 1 year and 9 months after being incarcerated for 26 years, and no parole officer recommended him for early discharge from supervision.

110. Wali El-Shabazz (a/k/a Roderick L. Patterson)

Convicted of robbery, two armed burglaries, attempted robbery, malicious wounding, and use of a firearm in Norfolk in 1984. Sentenced to life plus 47 years. Prior convictions for burglary, grand larceny, disorderly conduct, possession of a concealed weapon, and trespass. Released on parole in July 2018. Release conditions required lifetime supervision. No "PPS 60" was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. El-Shabazz was on supervision for only 1 year and 9 months after being incarcerated for 33 years, and no parole officer recommended him for early discharge from supervision.

111. Weldon Bunn

Convicted of first-degree murder, two counts of grand larceny, use of a firearm, and assault & battery in Henrico in 1994. Convicted of robbery, attempted robbery, and two counts of use of a firearm in Newport News in 1994. Total sentence of life plus 80 years. Prior convictions for burglary, auto theft, cocaine distribution, destruction of property, assault & battery, resisting arrest, and multiple thefts. Released on discretionary parole in October 2018. Release conditions state "Your minimum date of release from supervision is LIFE." No "PPS 60" was ever submitted. Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer's recommendation. Bunn was on supervision for only 1 year and 5 months after being incarcerated for 24 years, and no parole officer recommended him for early discharge from supervision.

112. Willard Mears

Convicted of two robberies, two counts of abduction with intent to defile, burglary, attempted malicious wounding, grand larceny, and four counts of use of a sawed-off shotgun in a

crime of violence in Accomack in 1984. Sentenced to four life terms (two concurrent). Released on discretionary parole in August 2017. Release conditions state “Your minimum date of release from supervision is LIFE.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years, and upon a parole officer’s recommendation. Mears was on supervision for only 2 years and 8 months after being incarcerated for 33 years, and no parole officer recommended him for early discharge from supervision.

113. Willie Brown

Convicted of first-degree murder, abduction, two counts of malicious wounding and use of a firearm, and attempted escape from custody in Richmond City in 1984 and 1985. Total sentence of life plus 56 years. Released on discretionary parole in November 2018. Release conditions state “Your minimum date of release from supervision is LIFE.” In March 2020, a parole officer noted in Brown’s file that “we cannot request a release until the client has been on parole for 5 years.” Early discharge certificate dated March 27, 2020 created and uploaded by Chair Bennett.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after five years. Brown was on supervision for only 1 year and 4 months after being incarcerated for 35 years.

114. Willie Thomas

Convicted of grand larceny and burglary in Chesterfield in 1977. Released on discretionary parole. Convicted of four forgeries, four counts of uttering a forgery, and three counts of grand larceny in Richmond City in 1981. Convicted of uttering a forgery in Chesterfield in 1981. Convicted of credit card fraud and receiving stolen property in Henrico in 1981. Released on discretionary parole in 1984. Convicted of two burglaries and petit larceny in Richmond City and Henrico in 1985. Released again on discretionary parole in 1989. Convicted of three burglaries and two grand larcenies in Henrico and Hanover in 1991. Released again on discretionary parole in 1998. Convicted of possession of heroin, grand larceny, and obstruction of justice in Richmond City and Chesterfield in 2001. Released again on discretionary parole in 2009. Convicted of petit larceny, grand larceny, and attempted burglary in Henrico, Chesterfield, and Richmond City in 2011. Total remaining sentence of 63 years and 62 months. Released on discretionary parole in March 2017. Release conditions state “Your minimum date of release from supervision is September 19, 2024.” No “PPS 60” was ever submitted. Early discharge certificate dated April 5, 2020 created and uploaded by Chair Bennett. Arrested for armed robbery, abduction, use of a firearm, and possession of a firearm by a violent felon in Chesterfield in February 2022. Arrested for possession of a schedule I/II controlled substance in Richmond City in August 2022.

VIOLATIONS OF POLICY OR LAW:

(1) VPB Administrative Procedure 1.402 requiring VADOC to prepare discharge certificates. The certificate in this case was created and uploaded by VPB Chair Bennett.

(2) VPB Policy Manual Section VI.D permitting final discharge from parole supervision only after 5 years of supervision, and upon a parole officer's recommendation. Thomas had violated parole on 5 previous occasions by committing new offenses, and no parole officer recommended him for early discharge from parole supervision.

¹ While Chair Bennett erroneously labeled the request for early discharge from supervision as coming from "Helen Morton," it is unlikely that this constitutes a violation of Va. Code § 18.2-472, because a different parole officer had properly requested that Curtis Greene be discharged.

² While Chair Bennett erroneously labeled the request for early discharge from supervision as coming from "Cal'Vina," it is unlikely that this constitutes a violation of Va. Code § 18.2-472, because a different parole officer had properly requested that Duane Edmonds be discharged.

³ VPB "restored" Gregory Epperson's eligibility for discretionary parole under Code § 53.1-151(B1) in 2019 using an unlawful application of Virginia law and VPB policy that will be discussed more thoroughly in a separate section of this report.

⁴ While Chair Bennett erroneously labeled the request for early discharge from supervision as coming from "Erin," it is unlikely that this constitutes a violation of Va. Code § 18.2-472, because a different parole officer had properly requested that Lee Stanley be discharged.

⁵ While Chair Bennett erroneously labeled the request for early discharge from supervision as coming from "Cal'Vina," it is unlikely that this constitutes a violation of Va. Code § 18.2-472, because a different parole officer had properly requested that Lionel Wormley be discharged.

⁶ While Chair Bennett erroneously labeled the request for early discharge from supervision as coming from "Cal'Vina," it is unlikely that this constitutes a violation of Va. Code § 18.2-472, because a different parole officer had properly requested that Luther Beasley be discharged.

⁷ While Chair Bennett erroneously labeled the request for early discharge from supervision as coming from "Cal'Vina," it is unlikely that this constitutes a violation of Va. Code § 18.2-472, because a different parole officer had properly requested that Pamela Sayre be discharged.

⁸ While Chair Bennett erroneously labeled the request for early discharge from supervision as coming from "Helen Morton," it is unlikely that this constitutes a violation of Va. Code § 18.2-472, because a different parole officer had properly requested that William Geer be discharged.

⁹ While Chair Bennett erroneously labeled the request for early discharge from supervision as coming from "Cal'Vina," it is unlikely that this constitutes a violation of Va. Code § 18.2-472, because a different parole officer had properly requested that Jimmie Stephenson be discharged.

¹⁰ VPB "restored" Anthony Anderson's eligibility for discretionary parole under Code § 53.1-151(B1) in 2018 using an unlawful application of Virginia law and VPB policy that will be discussed more thoroughly in a separate section of this report.

¹¹ As an admitted planner and participant in a robbery during which a murder occurred, Hill was guilty of murder under Virginia law. "A perpetrator and principal in the second degree are equally liable for the crimes of robbery and first degree murder." *Pugliese v. Commonwealth*, 16 Va. App. 82, 93 (1993); Code § 18.2-18.

¹² VPB "restored" Donald Hawkins' eligibility for discretionary parole under Code § 53.1-151(B1) in 2018 using an unlawful application of Virginia law and VPB policy that will be discussed more thoroughly in a separate section of this report.

¹³ VPB "restored" Gary Williams' eligibility for discretionary parole under Code § 53.1-151(B1) in 2017 using an unlawful application of Virginia law and VPB policy that will be discussed more thoroughly in a separate section of this report.

¹⁴ Chair Adrienne Bennett personally contacted Geronimo Muhammad, who tried to murder two police officers, in April 2020 to solicit a support letter for the parole consideration of Vincent Martin, who had also murdered a police officer. See Appendix 2 to Section III.

¹⁵ VPB “restored” Hellis McNulty’s eligibility for discretionary parole under Code § 53.1-151(B1) in 2016 using an unlawful application of Virginia law and VPB policy that will be discussed more thoroughly in a separate section of this report.

¹⁶ VPB “restored” Herbert Robertson’s eligibility for discretionary parole under Code § 53.1-151(B1) in 2017 using an unlawful application of Virginia law and VPB policy that will be discussed more thoroughly in a separate section of this report.

¹⁷ Va. Code § 19.2-8.

¹⁸ Va. Code § 19.2-8.

¹⁹ Va. Code § 19.2-8.

²⁰ VPB records indicate that Tyrone Hamlette was granted geriatric conditional release (<https://vpb.virginia.gov/files/1142/vpb-decisions-nov17.pdf>), as he was ineligible for discretionary parole under Code § 53.1-151(B1) due to multiple convictions for armed robbery. However, Hamlette’s discharge paperwork and his parole officer’s records reference discretionary parole, not geriatric conditional release. The reason for this discrepancy is unclear.

Fwd: Final Early Discharges

1 message

Morton, Helen <helen.morton@vpb.virginia.gov>
To: Tracy Schlagel <Tracy.Schlagel@vpb.virginia.gov>

Thu, Apr 16, 2020 at 2:33 PM

New list

----- Forwarded message -----

From: **Bennett, Adrienne** <adrienne.bennett@vpb.virginia.gov>
Date: Wed, Apr 15, 2020 at 10:48 PM
Subject: Final Early Discharges
To: Helen Morton <Helen.Morton@vpb.virginia.gov>

1083664 Geer, William (Requested by Helen Morton, Richmond P&P Gooden,

Love you Mem!

1083664 Geer, William (Requested by Helen Morton, Richmond P&P Gooden, Donnie)
1139256 Johnson, Jimmy (Newport News Simmons)
1152963 Muhammad, Joseph (Shadow Track, Patterson, Charlene)
1087107 Muhammad, Malcolm (Henrico P&P, Dent, Rodney)
1167648 Sorensen, Paul (Requested by Helen Morton, (Shadow Track) (McMahand Palmer, Danielle)
1141040 Scott, Frank (Interstate Compact)
Herb Robertson – amended certificate uploaded

--

Helen W. Morton
Probation Officer Lead
Post Release Unit/Virginia Parole Board
Telephone #804-887-7918
Fax #804-674-3284

Helen: All of these cases have Early Discharge Certificates uploaded and attached to a supervision note. Each batch is alphabetical order just for me. The third batch is the one I did second Discharge Certificate and uploaded into supervision note.

Early Discharge List

1099371 Boykins, Clyde (McMahand Palmer, Danielle)
1152818 Burrell, Shamont (Shadow Track)(Nowak, Joann)
1161140 Charles, Erik (Interstate Compact)(Numfor, Eveline)
1167467 Congo, Angello (Interstate Compact)(Andrews, Donna)
1076066 Gaiter, Jaimie (Shadow Track)(Nowak, Joann)
1019609 Hamlette, Tyrone (Shadow Track) (Moody, Jenette)
1175824 Harris, Golden (Shadow Track) (McMahand Palmer, Danielle)
1083159 Hawkins, Donald (Richmond P&P) (Shackelford, James F)
1052162 Karim, Khalid (Interstate Compact)(Hope Proffit)
1087238 Mason, Berdell (Ashland P&P)(Parnell, Taylor)
1151370 Ragno, David (Chesterfield P&P) (Terra Johnson)
1159105 Reibsome, Mark (Shadow Track) (Moody, Jenette)
1124787 Riddick, William (Operations Logistics)(Patterson, Charlene D)
1068532 Rooney, Brian R (Interstate Compact)(Hope Proffit)
1132216 Timmons, Norris (Shadow Track) (McMahand Palmer, Danielle)
1019506 Suggs, Jeffery(Shadow Track) (McMahand Palmer, Danielle)
1021710 Williams, Richard (Shadow Track)(Nowak, Joann)

Emailed 4/7

1030539 Cherry, Bernard (Operations Logistics)(Patterson, Charlene D)
1160872 Barnes, John (Requested by Cal'Vina)
1080643 Davis, Kenneth (Requested by Cal'Vina)
1284911 Edmonds, Duane (Requested by Cal'vina)
1104771 El-Shabazz, Wali (Fredericksburg)(Allsbury, Sabrina)
1142236 Hess, Bobby (Abingdon P&P)(States, Melanie)
1111656 Hinton, Joey (Chesterfield P&P)(McDaniel, Katelyn W)
1049211 Muhammad, Khalid (Virginia Beach)(Forbes, Lolita)
1117285 Penley, Eckle (Ashland P&P)(Smith,Shawn)
1108781 Robinson, Shawn (Shadow Track) (Moody, Jenette)
1076465 Sayer_Pamela (Requested by Cal'Vina)
1176437 Shepperson, Michael (Interstate Compact)(Hope Proffit)
1017804 Stephenson, Jimmie (Requested by Cal'Vina)
1107899 Treffert, Jeffrey (Interstate Compact)(Jordan, Mynesha L)
1035488 Wormley, Lionel (Requested by Cal'Vina)
1133276 Wyer, Adrian (Interstate Compact)(Elliot, Benjamin)

Emailed April 7, 2020

1004672 Ali,Shakeel (Richmond P&P) (Fitzgerald, Robert L)
1032647 Boyd, Sylvester (Shadow Track) (Moody, Jenette)
1075014 Carney, Kenneth (Operations Logistics)(Patterson, Charlene D)

1032798 Foglia, Robert (Interstate Compact)(Wytheville P&P)(Hale, Eric S)
 1057205 Hagan, Demetrius (Chesapeake P&P)(Turk, Kristen)
 1091214 Jenkins, Melvin (Shadow Track)(Johnson, Darlene)
 1175600 Jefferson, Antonio (Shadow Track) (McMahand Palmer, Danielle)
 1002447 Jennings, Marvin (Shadow Track) (McMahand Palmer, Danielle)
 1106976 Johnson, Richard (Shadow Track) (McMahand Palmer, Danielle)
 1005735 McNulty, Hellen (Operations Logistics)(Patterson, Charlene D)
 1059209 Lumumba, King B (Norfolk P&P)(Simmons, Kesi S)
 1679967 Moore, Vicki (Hampton P&P)(Heckstall, Lonnette)
 1009248 Muhammad, Hakim (Shadow Track) (Moody, Jenette)
 1152178 Roan, Adrian (Shadow Track) (Moody, Jenette)
 1179770 Holloway, Samuel (Operations Logistics)(Patterson, Charlene D)
 1147828 Shelton, George (Shadow Track) (Moody, Jenette)
 1139620 Simpson, James (Interstate Compact)(Andrews, Donna)
 1150259 Speed, Antione (Interstate Compact)(Kouns, Kimberly R)
 1128915 Tunstall, Devin (Virginia Beach P&P)(Forbes, Lolita)
 107797 Turner, Roosevelt (Chesterfield P&P)(Rivas, Jennifer)
 1002535 Vincent, Christopher (Interstate Compact)(Wytheville P&P)(Hale, Eric S)
 1059293 Vu, Charlie (Interstate Compact)(Stith, Belinda J)
 1062777 Walter Ellis Paige (Requested by Cal'Vina) (I emailed her that it is ready)

emailed 4/5/2020

1090790 Richard Lee Boye (Interstate Compact)(Lynchburg P&P) Dixon, Allison T
 1052430 James Melvin Bullock (Shadow Track) (Nowak, JoAnn)
 1064341 Edward James Conquest (Shadow Track) (Nowak, JoAnn)
 1180010 Gary William Draper, Jr. (Shadow Track) (McMahand Palmer, Danielle)
 1127555 Diane Fleming (Interstate Compact) (Chesterfield P&P)(Elliott, Benjamin)
 1040252 Virgil Samuel Fox, III (Shadow Track)(McMahand Palmer, Danielle)
 1114375 Michael Earl Gaumer (Shadow Track) (Nowak, JoAnn)
 1129702 Rick Herring (Shadow Track) (Moody, Jenette)
 1104581 Christian Jackson (Shadow Track)(Patterson, Charlene D)
 1020735 Carl Lewis Johnson (Interstate Compact)(Fairfax P&P)(Proffitt, Hope L)
 1160632 James Latta (Staunton P&P) (Melodie Harris)
 1115596 Sheldon McDowell (Interstate Compact) (Manassas P&P)(Stephens, Sonja L)
 1101347 Geronimo Bonner Muhammad (Shadow Track) (Nowak, JoAnn)
 1039133 Marcellus Derrant Martin (Shadow Track) (Moody, Jenette)
 1145107 Arthur Rambert (Interstate Compact)(Petersburg P&P) (Thweatt, Shante M)
 1132164 Herbert Rueben Robertson, Jr. (Franklin P&P) (Grant Knight)
 1061729 Mario Ernesto Rojas (Interstate Compact)
 1020862 James Robert Starkey (Abingdon P&P)(Laney, Venus)
 1157513 Henry Tipold (Martinsville P&P) (Pettus, Corey)
 1031156 Keron Terik Turner (Shadow Track) (Nowak, JoAnn)
 1179269 Steven Oscar Vanfleet (Interstate Compact)(Anderson, Tori J)
 1120013 James Waters (Lynchburg P&P) (Layne, Katherine L)
 1070146 Larry Wimmer (Virginia Beach P&P)(Lolita Forbes)
 1029103 George Thomas White (Shadow Track)(Patterson, Charlene D)
 1031612 Levar Keith White (Shadow Track) (Nowak, JoAnn)
 1169490 Tyrone Wyche (Shadow Track) (Moody, Jenette)

1027915 Jeffrey Stevenson Austin (Interstate compact)(Anderson, Mellonie E)
 1159690 Luther C. Beasley (Martinsville P&P)(Hollandsworth, Shelley R) Requested by Cal'Vina
 1121881 Adrian Black (requested by Erin)
 1038144 David Shane Campbell (Shadow Track)(McMahan Palmer, Danielle)
 1040969 Vernon Charles (requested by Erin)
 1175517 Gregory Epperson (requested by Erin)
 1154163 Jay Gould (Interstate Compact)(Arlington P&P)
 1043962 Curtis Greene (requested by Helen) (Charlottesville P&P)(Henry, Caitlyn M)
 1010885 Michael Henry(Shadow Track)(Patterson, Charlene D)
 1137766 Troy Johnson(Interstate Compact)(Andrews, Donna F)
 1114775 William Albert Jones (Interstate Compact) Requested by Erin
 1171978 Lee W. Stanley (requested by Erin)
 1105152 Robert Mayton (Interstate Compact)(Baber, Lydia T)
 1111768 Willard Mears (Shadow Track) (Nowak, JoAnn)
 1108968 Barry Mines (Rocky Mount P&P)(Young, Alexandra)
 1152357 Anthony Allen Mullahy (requested by Erin)
 1076565 Vinh Van Pham (requested by Erin)
 1036903 Roy Pittman (requested by Erin)
 1128054 Kye Price(Shadow Track) (Moody, Jenette)
 1048489 Darrell Smith (Shadow Track) (Moody, Jenette)
 1056608 Willie Thomas, Jr. (Shadow Track) (Moody, Jenette)
 1000810 Dembry White (Interstate Compact) (Shack, Malika)

1123869 Anthony Anderson (Richmond P&P – Robin Kizzy)
 1141320 Robert Ashby (Shadow Track – OLU) McMahan Palmer, Danielle
 1129497 Michael Bourne (Interstate Compact) (VB P&P) Hanrahan, Cara
 1155027 Jeffrey Bowen (Shadow Track) Nowak, JoAnn
 1158178 Willie Brown (Shadow Track) Moody, Jennette C
 1119984 Weldon Lyndell Bunn (Shadow Track) Moody, Jennette C
 1137201 Pamela K. Burroughs (Shadow Track) Moody, Jennette C
 1092161 Joseph Carter (Interstate Compact) (Already States Inactive)
 1148471 Kenneth Cooper (Interstate Compact) (Accomac P&P) Tolbert, Catherine
 1099109 Timothy Duffy (Interstate Compact)(Hampton P&P) Roach, Angela B
 1153542 Dawn Egan (Interstate Compact)(Virginia Beach P&P) Hanrahan, Cara
 1051028 Paul Garnett (Interstate Compact) (Virginia Beach P&P) Hanrahan, Cara
 1027820 Joseph Giarratano (Case closed – Inactive)
 1166874 James Hall (Interstate Compact)(Virginia Beach) Hanrahan, Cara
 1019195 Denaldo Hill (Shadow Track)(McMahan Palmer, Danielle)
 1063039 Marlo Jarmon (Shadow Track) Nowak, JoAnn
 1018265 Gary Kammeter (Shadow Track) Nowak, JoAnn
 1111229 Monty King (Interstate Compact) Arlington P&P Lindsey Sizemore
 1177783 Larry Macon (Shadow Track) Jennette Moody
 1057529 Darnell Phillips (Inactive) (Virginia Beach P&P)
 1097468 Brian Rambo (Shadow Track)(Charlene Patterson)
 1150546 Emerson Stevens (Inactive)

1008066 Pamela G. Scott (Interstate Compact) Juliana Isa Hampton P&P)
1107588 Paul Thomas Taylor (Shadow Track) (Jennette Moody)
1004657 Ronald Thatcher (Shadow Track) JoAnn Nowak
1129526 Aaron Turner (Virginia Beach P&P Lolita Forbes)
1088887 Gary Williams (Shadow Track) McMahan Palmer, Danielle
1034988 Charles Williamson (Shadow Track) (Jennette Moody)

**PAROLE BOARD INSTRUCTIONS -EARLY DISCHARGE
CERTIFICATE ATTACHED.**



REPORT OF INVESTIGATION VIRGINIA PAROLE BOARD

APPENDIX TO SECTION V

Appendix to Section V

Offenders Released on Parole after being Restored to Parole Eligibility

by Chair Adrienne Bennett and the Virginia Parole Board

We examined VADOC records and identified at least 253 offenders previously designated as parole-ineligible under § 53.1-151(B1). Analysis revealed that Chair Bennett issued letters bearing her signature that restored parole eligibility to approximately 224 of those offenders. Of those offenders, 75 were released by VPB during Chair Bennett's tenure.

This Appendix examines the facts and circumstances of the 75 parolees released after being restored to parole eligibility under § 53.1-151(B1), and it renders conclusions about whether VPB or Chair Bennett violated § 53.1-151(B1) and other provisions of Virginia law.¹ Sources of information considered include offenders' complete CORIS files, as well as paper files maintained by VADOC and VPB regarding offenders' parole-ineligible status.

Our review focused on whether Chair Bennett applied an unapproved policy to reverse an offender's parole ineligibility. In some cases, we found no violations related to the application of the unapproved policy.

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1. Albert Johnson

Convicted of 14 robberies (different dates/victims) and 5 companion counts of use of a firearm in Virginia Beach, Portsmouth, Norfolk, Chesapeake, and Newport News in 1991. Sentenced to 98 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1). Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in October 2019. Eligibility restoration theory:

Adrianne Bennett	07/06/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Robbery spree (from 10/31/1990 to 1/19/1990) with companion Use of Firearm Convictions only in Norfolk (Robbery only convictions in Virginia Beach, Portsmouth Chesapeake and Newport News - likely to avoid 3 strikes designation because many use of firearm charge were nolle prossed in multiple jurisdictions). No prior or subsequent predicate offenses. Not at Liberty between offenses. Recommendation: Restore Parole Eligibility.
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Three Strikes/Parole Ineligibility Review: Robbery spree (from 10/31/1990 to 1/19/1990) with companion Use of Firearm Convictions only in Norfolk (Robbery only convictions in Virginia Beach, Portsmouth Chesapeake and Newport News - likely to avoid 3 strikes designation because many use of firearm charge were nolle prossed in multiple jurisdictions). No prior or subsequent predicate offenses. **Not at Liberty between offenses.** Recommendation: Restore Parole Eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Johnson’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Johnson was “not at Liberty between offenses” despite VPB records showing that Johnson was free between each armed robbery.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) requiring approval of VPB policies regarding parole eligibility by the Governor and requiring publishing and posting such policies for public review. Governor Ralph Northam’s administration rejected the policy Chair Bennett applied in Johnson’s case. Chair Bennett implemented this policy thereafter without the Governor’s consent, and without publishing or posting it for public review.

(2) Va. Code § 53.1-151(B1) permitting VPB to review parole eligibility decisions “pursuant to regulations promulgated by it for that purpose.” The only regulation that VPB has promulgated for the purpose of reviewing parole eligibility under § 53.1-151(B1) is Administrative Procedure 1.222, which has existed in its current form since 1995 and has not been amended by any administration since then. Chair Bennett added the “at liberty between offenses” element to VPB’s administrative procedure without lawfully amending them. Chair Bennett’s action in restoring parole eligibility to Albert Johnson therefore violated § 53.1-151(B1), because the action was taken pursuant to an unwritten policy of Chair Bennett’s own invention, not “pursuant to regulations promulgated by the Parole Board.”

(3) Article I, Section 7 of the Virginia Constitution prohibiting the suspension of laws without the consent of the representatives of the people. Chair Adrianne Bennett unlawfully implemented an unapproved policy on parole eligibility under § 53.1-151(B1) that was never posted for public review. Chair Bennett further added an extraneous element to § 53.1-151(B1) that has been specifically excluded from the statute by the Supreme Court of Virginia. In so doing, Chair Bennett unilaterally suspended the version of § 53.1-151(B1) that Virginians consented to enact through their elected legislators. Chair Bennett replaced the lawfully enacted text of § 53.1-

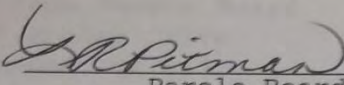
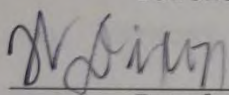
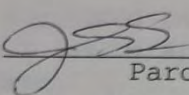
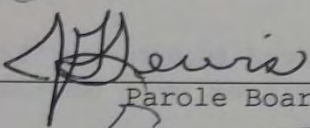
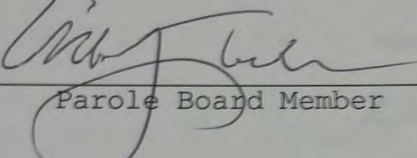
151(B1) with a version of her own making. This action deprived Virginians of the fundamental right to have the laws they consented to be passed executed as written, not administratively altered and suspended by a political appointee. Virginians did not consent for VPB Chair Bennett to assume the office of a legislator² and add an element to § 53.1-151(B1).

2. Anthony Anderson

Convicted of rape, 2 murders, 4 robberies, 3 abductions, 7 counts of use of a firearm, and malicious wounding in Richmond and Chesterfield in 1984–85. Sentenced to life plus 190 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC in 1996 after an audit conducted with OAG. VPB affirmed VADOC's determination:³

Name: <u>Anthony Anderson</u>		No.: <u>140429</u>
<u>Qualifying Offenses/Date:</u>		
<u>Crime</u>	<u>Date</u>	<u>Jurisdiction</u>
Robbery	3/22/84	City of Richmond
Rape	3/22/84	City of Richmond
Robbery	3/23/84	Chesterfield County
Robbery	3/27/84	Chesterfield County
Murder	3/27/84	Chesterfield County
Murder	9/2/84	City of Richmond
Total Sentence: Two Life Sentences plus 100 years		
<u>Circumstances of the Offenses:</u>		
The first offense occurred on 3/22/84 in the City of Richmond when Anderson and two co-defendants robbed and raped at gunpoint, a 24 year old female in her apartment in the City of Richmond. On the next day, 3/23/84, Anderson and three co-defendants robbed at gunpoint the clerks of a commercial establishment at Chesterfield County, and again in Chesterfield County on 3/27/84, robbed at gunpoint the clerk of another commercial establishment. Later that day, in an unrelated incident, the subject and his three co-defendants murdered a man in his apartment in Chesterfield County during an attempted robbery. The last offense occurred on 9/2/84 at the Richmond City Jail when Anderson and three co-defendants murdered a deputy sheriff during in an escape attempt.		
<u>Assessment:</u>		
The offenses do not constitute a common act, transaction or scheme, in that they occurred at different times, at different places, and involved victims unrelated to each other or to Anderson. The apparent motive of all the robberies was to obtain United States currency or personal property to be converted into United States currency.		

VPB unanimously voted to declare Anderson ineligible for parole under § 53.1-151(B1):

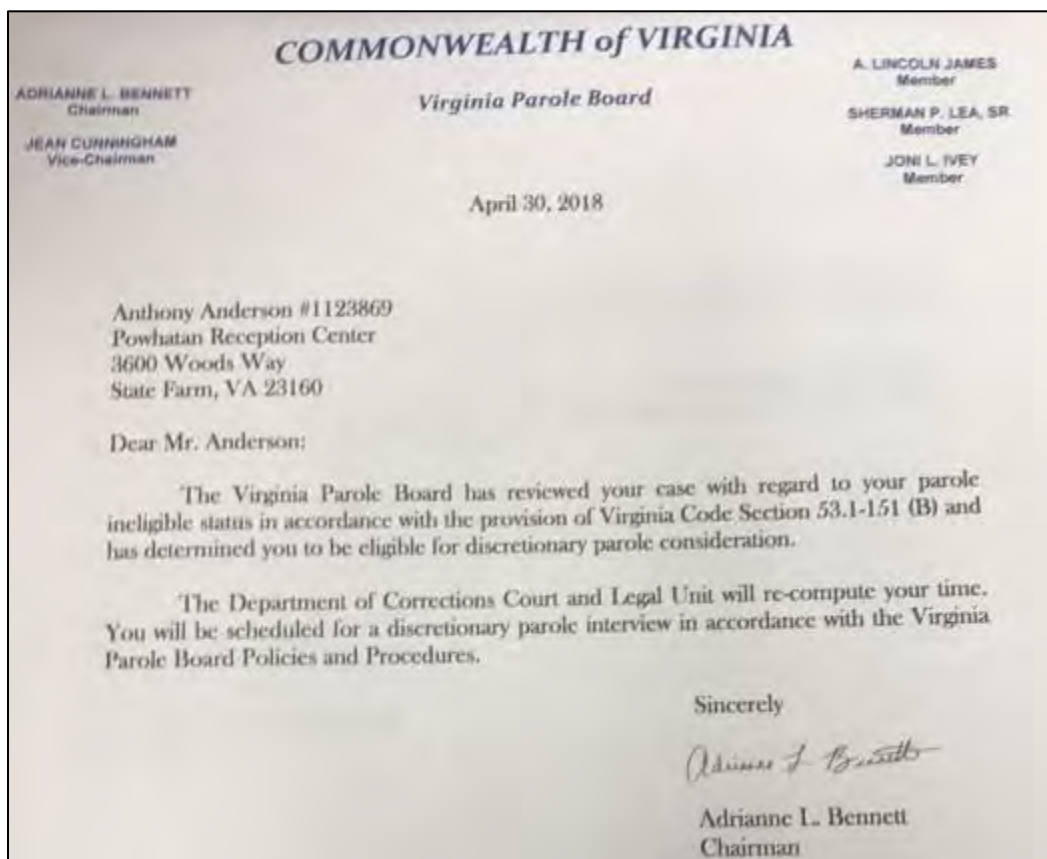
Parole Ineligibility Appeal Decision Record	
Name: <u>Anthony Anderson</u>	No.: <u>140429</u>
Not eligible for parole pursuant to Section 53.1-151 (B1) .	
 _____ Parole Board Member	<u>1 7/11/97</u> _____ Date
 _____ Parole Board Member	<u>1 7-11-97</u> _____ Date
 _____ Parole Board Member	<u>1 7/15/97</u> _____ Date
 _____ Parole Board Member	<u>1 8/22/97</u> _____ Date
 _____ Parole Board Member	<u>1 8/29/97</u> _____ Date

In June 2007, then-VPB Chairwoman Helen Fahey noted in an email that an advocate for Anderson was arguing that “Anderson’s offenses should be considered as part of a “common scheme” because they occurred within a short period of time thereby making him parole eligible.” According to Chairwoman Fahey, “There is no basis for such a claim. All five of [Anderson’s qualifying offenses] involved different times, different places, and different victims.” Chairwoman Fahey informed the advocate about the number and nature of crimes Anderson had committed. According to Fahey, the advocate was unaware of Anderson’s history of murder, rape, and armed robbery, and the advocate stated that “even he might not want someone like that released.”

In June 2013, Anderson wrote then-VPB Chairman William Muse a letter in which he claimed that “The legislative history and intent of [§ 53.1-151(B1)] indicates the purpose was to combat the career recidivist felon **thus the phrase at liberty is used when referring to application of this statute.**”

Chairman Muse wrote Anderson a responsive letter reiterating Anderson’s multiple disqualifying offenses, also stating that “you believe the offenses should be considered as part of a “common scheme” as they occurred within a short period of time thereby making you parole eligible. There is no basis for such a claim. All five of the offenses listed above involved different times, different places, and different victims.”

In 2016, a VADOC legal research technician researched Anderson's convictions and informed then-VPB Chairwoman Karen Brown that her research confirmed that Anderson was ineligible for discretionary parole under § 53.1-151(B1). However, Chair Bennett reversed Anderson's parole ineligibility in April 2018. Anderson was granted parole later the same year.



VIOLATIONS OF LAW AND POLICY:

(1) VPB Administrative Procedure 1.222, titled "Appeal Review of Parole Ineligibility," permitting VPB to review offenders' parole ineligibility under § 53.1-151(B1) only upon appeal by the offender. VPB procedures do not allow it to unilaterally review offenders' parole eligibility without an appeal. In this case, Anderson had not appealed VPB's prior determination of parole ineligibility.

(2) Va. Code § 53.1-151(B1) permitting VPB to review parole eligibility decisions "pursuant to regulations promulgated by it for that purpose." The only regulation VPB has promulgated for the purpose of reviewing parole eligibility under § 53.1-151(B1) is Administrative Procedure 1.222, which has existed in its current form since 1995 and has not been amended. Administrative Procedure 1.222 only permits VPB to address parole eligibility under § 53.1-151(B1) when an offender appeals. Anderson did not have an appeal pending at the time Chair Bennett restored his parole eligibility; his appeal was correctly denied in 1997. By addressing Anderson's parole ineligibility without an appeal, Chair Bennett's determination that Anderson was eligible for parole was not made "pursuant to regulations promulgated by [the Parole Board] for that purpose," in violation of § 53.1-151(B1).

3. Anthony Wright

Convicted of 5 robberies (5 different dates/victims) and 3 companion counts of use of a firearm in Fairfax County in 1989. Sentenced to 66 years. During one of the robberies, Wright shot at the victim. Prior convictions for possession of cocaine, grand larceny, unlawful possession of a weapon, menacing, and sale of a controlled substance. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a May 2018 letter signed by Chair Bennett. Granted parole and released in July 2019. Eligibility restoration theory:

Adrianne Bennett	05/07/2018	Parole Board Note	Three Strikes Parole Ineligibility Review. This offender has a series of Robberies and Use of Fire Arms in Virginia with no interruptions in his liberty between offenses. He as an extensive NY record (drugs, thefts, weapons and one ATTEMPTED robbery convictions), but none of them are qualifying offenses. Recommendation: RESTORE PAROLE ELIGIBILITY.
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Three Strikes Parole Ineligibility Review: This offender has a series of Robberies and Use of Fire Arms in Virginia **with no interruptions in his liberty between offenses**. He as an extensive NY record (drugs, thefts, weapons and one ATTEMPTED robbery convictions), but none of them are qualifying offenses. Recommendation: RESTORE PAROLE ELIGIBILITY.

Chair Bennett unlawfully applied the “at liberty” element to Anthony Wright’s offenses for the reasons stated in Section V of this report. Interruptions in liberty between offenses are not part of VPB’s analysis under § 53.1-151(B1).

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained prohibited elements.

4. Benjamin Arroyo

Convicted of 13 robberies (different dates/victims), 15 abductions, and 22 counts of use of a firearm in Petersburg, Hampton, York, Prince George, Henrico, Williamsburg, Chesterfield, and Newport News in 1994. Sentenced to 435 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in January 2020. Eligibility restoration theory:

Adrianne Bennett	07/30/2018	Parole Board Note	THREE STRIKES PAROLE INELIGIBILITY REVIEW: This subject has a voluminous number or robbery and use of firearm convictions from 10/19/1993 until 1/21/1994 occurring in 9 different jurisdictions (entered guilty pleas – appeared to have been targeting McDonalds/fast food restaurants. Not at liberty between offenses). He may also have a conviction in NC that would have occurred during this spree (VCIN is unclear) or possibly prior to the spree. Otherwise he has no prior of subsequent predicate offenses. At most two strikes. Total Sentence 435 years and in his early 20’s at the time of the offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES PAROLE INELIGIBILITY REVIEW: This subject has a voluminous number or robbery and use of firearm convictions from 10/19/1993 until 1/21/1994 occurring in 9 different jurisdictions (entered guilty pleas – appeared to have been targeting McDonalds/fast food restaurants. **Not at liberty between offenses**). He may also have a conviction in NC that would have occurred during this spree (VCIN is unclear) or possibly prior to the spree. Otherwise he has

no prior or subsequent predicate offenses. At most two strikes. Total Sentence 435 years and in his early 20's at the time of the offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.

Applying the "at liberty" element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the "at liberty" element to Arroyo's offenses, she did so incorrectly. Chair Bennett erroneously concluded that Arroyo was "not at liberty between offenses" despite VPB records showing that Arroyo was free between each armed robbery.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

5. Benjamin Downey

Convicted of 4 robberies (different dates/victims), attempted murder, 5 companion counts of use of a firearm, and being an accessory after the fact to a felony in Portsmouth in 1988. Sentenced to 79 years. Downey and a co-defendant pointed a handgun at one victim's head, pistol-whipped the victim, and fired shots at him. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in October 2019. Eligibility restoration theory:

Adrianne Bennett	09/05/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Multiple robberies with companion use of firearm convictions all occurring in Portsmouth between 1/27/1988 and 2/15/1988. Not at liberty between offenses. No prior or subsequent convictions of predicate offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Multiple robberies with companion use of firearm convictions all occurring in Portsmouth between 1/27/1988 and 2/15/1988. **Not at liberty between offenses.** No prior or subsequent convictions of predicate offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.

Applying the "at liberty" element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the "at liberty" element to Downey's crimes, she did so incorrectly. Chair Bennett erroneously concluded that Downey was "Not at liberty between offenses" despite VPB records showing that Downey was free between each armed robbery.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

6. Bobby Mabry

Convicted of 4 robberies (different dates/victims) and 3 counts of use of a firearm in Richmond in 1993; sentenced to 35 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Released on mandatory parole in 2013; revoked in 2016 (DUI convictions). Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in June 2019. Eligibility restoration theory:

Adrianne Bennett	05/22/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Parole violator who was released on mandatory parole on 1/23/2013. Appears that neither the Parole Board nor the Parole Examiner were aware at the time of the violation that he was a three striker and would not come back up for consideration. Released on mandatory parole on 11/2/2015 and received back 14 years 28 days with a GTRD 4/28/2023. Robbery/use of firearm spree: 5/9/1992, 8/6/1992, 9/20/1992, 10/15/1992. All robberies were of a Subway or Golden Skillet. Not at liberty between offense, no prior or subsequent convictions of predicate offenses. RECOMMENDATION: Restore Parole Eligibility.
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Three Strikes/Parole Ineligibility Review: Parole violator who was released on mandatory parole on (sic) 1/23/2013. Appears that neither the Parole Board nor the Parole Examiner were aware at (sic) the time of the violation that he was a three striker and would not come back up for consideration. Released on mandatory parole on 11/2/2015 and received back 14 years 28 days with a GTRD 4/28/2023. Robbery/use of firearm spree: 5/9/1992, 8/6/1992, 9/20/1992, 10/15/1992. All robberies were of a Subway or Golden Skillet. **Not at liberty between offense**, no prior or subsequent convictions of predicate offenses. RECOMMENDATION: Restore Parole Eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Mabry’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Mabry was “not at liberty between offenses” despite VPB records showing that Mabry was free between each armed robbery.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

7. Bryant Manuel

Convicted of 5 robberies (3 different dates/victims), 5 companion counts of use of a firearm, and abduction in Richmond City in 1989 and 1990. Sentenced to 66 years. Demanded money at gunpoint from multiple victims. Stole one car with a victim still inside and abducted the victim after they refused to get out of the car. Manuel stated that “[w]hen he signed his plea deal he was amazed at the compassion he was shown.” Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in September 2019. Eligibility restoration theory:

Adrienne Bennett	05/21/2018	Parole Board Note	Three Strikes/Parole Eligibility Review: Robbery spree over a 13 day period (6/17/1989,6/19/1989, 6/30/1989) with companion firearms convictions; no prior or subsequent convictions of predicate offenses. RECOMMENDATION: restore parole eligibility.
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Three Strikes/Parole Eligibility Review: Robbery spree over a 13 day period (6/17/1989,6/19/1989, 6/30/1989) with companion firearms convictions; no prior or subsequent convictions of predicate offenses. RECOMMENDATION: restore parole eligibility.

VIOLATIONS OF LAW AND POLICY:

No violations found.

8. Christopher Richardson

Convicted of first-degree murder, 2 robberies, 3 companion counts of use of a firearm, grand larceny of an automobile, and two counts of assault in Richmond City and Chesterfield in 1985 and 1986. Sentenced to 80 years. Robbed one store in Chesterfield at gunpoint. Robbed a second store later the same day at gunpoint. Another victim was shot and killed when Richardson and his co-defendant robbed him in a separate incident. All crimes occurred on the same day, but they involved 3 different victims and locations. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in August 2019. Eligibility restoration theory:

Adrienne Bennett	07/30/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGILBTY:&nbsp;This offender was convicted of two separate robberies with companion use of firearm convictions and one separate murder (that occurred during a vehicle theft).&nbsp;&nbsp;Subject's crimes constitute a spree (trial court agreed). All of his crimes occurred on August 19, 1985 when the offender was 18 years old. Co-Defendant Larry Kenny #1078549 was the shooter.&nbsp;Kenny entered a guilty plea and was sentenced to 2 life sentences. Kenny was released on discretionary parole in 2016 and was never determined to be a three striker, this subject was tried by a jury for all of the offenses in separate trials and was sentenced to a total of 80 years.&nbsp;Because this subject was found guilty of two other robberies with companion firearm convictions – he was determined to be a three striker.&nbsp;&nbsp;Pre-Sentence Investigations (PSIs) indicate that the Kenny was a co-defendant in the additional robberies, but not convicted. This subject has no prior or subsequent predicate offenses.&nbsp;RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGILBTY: (sic) This offender was convicted of two separate robberies with companion use of firearm convictions and one separate murder (that occurred during a vehicle theft). Subject's crimes constitute a spree (trial court agreed). All of his crimes occurred on August 19, 1985 when the offender was 18 years old. Co-Defendant Larry Kenny #1078549 was the shooter. Kenny entered a guilty plea and was sentenced to 2 life sentences. Kenny was released on discretionary parole in 2016 and was never determined to be a three striker, this subject was tried by a jury for all of the offenses in separate trials and was sentenced to a total of 80 years. Because this subject was found guilty of two other robberies with companion firearm convictions – he was determined to be a three striker. Pre-Sentence Investigations (PSIs) indicate that the Kenny was a co-defendant in the additional robberies, but not convicted. This subject has no prior or subsequent predicate offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.

VIOLATIONS OF LAW AND POLICY:

No violations found.

9. Clarence Smith

Convicted of 4 robberies, 6 abductions, 5 companion counts of use of a firearm, and felony hit & run in Portsmouth, Suffolk, and Newport News between 1994 and 1996. Sentenced to 120 years. Committed each robbery at gunpoint and forced multiple victims into a freezer at gunpoint. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in May 2020. Eligibility restoration theory:

Adrianne Bennett	05/21/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: One robbery spree with companion use of firearm convictions; not at liberty between offenses; no prior or subsequent convictions of predicate offenses. Recommendation: Restore Parole Eligibility.
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Three Strikes/Parole Ineligibility Review: One robbery spree with companion use of firearm convictions; **not at liberty between offenses**; no prior or subsequent convictions of predicate offenses. Recommendation: Restore Parole Eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully considered whether Smith was “at liberty” between offenses, she did so incorrectly. VPB records show that Smith was free between each armed robbery.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

10. Clinton Powell

Convicted of 4 robberies, 3 malicious woundings, 2 unlawful woundings, and 5 companion counts of use of a firearm in Suffolk in 1989. Sentenced to life plus 103 years. Each robbery was committed on a different day and involved Powell demanding money from different victims at gunpoint. During one robbery at a supermarket, Powell’s co-defendant stabbed a victim multiple times and then slashed the victim’s mother in the face. As the male victim lay bleeding on the floor of the supermarket, Powell fired a single shot into the man’s body. The victim was paralyzed from the waist down and is wheelchair-bound. Powell was correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in May 2019. Eligibility restoration theory:

Adrianne Bennett	06/25/2018	Parole Board Note	Three Strikes Parole Ineligibility Review: This offender has three qualifying robbery with use of firearm events, constituting a spree from 9/17/1988 to 10/24/1988. The offender has no prior or subsequent predicate convictions. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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Three Strikes Parole Ineligibility Review: This offender has three qualifying robbery with use of firearm events, constituting a spree from 9/17/1988 to 10/24/1988. The offender has no prior or subsequent predicate convictions. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.

VIOLATIONS OF LAW AND POLICY:

No violations found.

11. Daniel Matthews

Convicted of 8 robberies (8 different victims/dates), 5 counts of use of a firearm, 2 counts of possession of a firearm by a felon, possession of cocaine, and possession of a firearm while possessing cocaine in Portsmouth and Norfolk in 1991. Sentenced to 89 years. Prior convictions for grand larceny, possession of heroin and cocaine, multiple larcenies and assaults, property damage, resisting arrest, shoplifting, and DUI. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in May 2019. Eligibility restoration theory:

Adrianne Bennett	05/16/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Armed robbery spree from 9/26/1990-10/9/1990. Not a liberty between offense and no prior or subsequent record of predicate offenses. Recommendation: Restore discretionary parole eligibility
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Three Strikes/Parole Ineligibility Review: Armed robbery spree from 9/26/1990-10/9/1990. **Not a (sic) liberty between offense** and no prior or subsequent record of predicate offenses. Recommendation: Restore discretionary parole eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully considered whether Matthews was “at liberty” between offenses, she did so incorrectly, because VPB records show that Matthews was free between each armed robbery.

Following his unlawful restoration by Chair Bennett to parole eligibility and release on discretionary parole, Matthews was arrested for attempted robbery and abduction in Richmond City in 2022. He remains in custody, and his trials are scheduled in 2023.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

12. Danny Stubblefield

Convicted of rape, robbery, unlawful wounding, grand larceny, and burglary in Alexandria in 1975 and 1976. Released on discretionary parole. Convicted of 2 burglaries, grand larceny, and petit larceny in Alexandria in 1981. Released on discretionary parole. Convicted of 4 robberies, 2 abductions, and 3 companion counts of use of a firearm in Alexandria in 1988. Total sentence of 78 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2019 in a letter signed by Chair Bennett. Granted parole and released in

July 2021. Eligibility restoration theory:

Three strikes disc. parole ineligibility review. **Recommendation: Restore disc. parole eligibility status.** Strike one: On or about 1/08/1975, Stubblefield committed a rape for which he was sentenced on 5/13/1975. Strike 2: After being released on parole on 1/12/1987, Stubblefield went on a robbery with weapon spree which ended on or about 10/20/1987), his date of arrest for multiple robberies/UFAs/Abductions (i.e., all strike 2 offenses). He was sentenced for strike 2 offenses on 3/30/1998 and 6/14/1998. He has been in continuous custody since his date of arrest (10/20/1987) on the Strike 2 offenses. There are no other relevant predicates per VCIN.

Three strikes disc. parole ineligibility review. Recommendation: Restore disc. parole eligibility status. Strike one: On or about 1/08/1975, Stubblefield committed a rape for which he was sentenced on 5/13/1975. Strike 2: After being released on parole on 1/12/1987, Stubblefield went on a robbery with weapon spree which ended on or about 10/20/1987), his date of arrest for multiple robberies/UFAs/Abductions (i.e., all strike 2 offenses). He was sentenced for strike 2 offenses on 3/30/1998 (sic) and 6/14/1998 (sic). He has been in continuous custody since his date of arrest (10/20/1987) on the Strike 2 offenses. There are no other relevant predicates per VCIN.

VIOLATIONS OF LAW AND POLICY:

No violations found.

13. Darrell Harris

Convicted of 4 Virginia robberies and 2 companion counts of use of a firearm in Fairfax County and Prince William. Harris committed 2 robberies on different dates and involving different victims in Fairfax in 1986. After being released on parole, Harris committed 2 more robberies in Fairfax and Prince William. Total Virginia sentence of 35 years. Released on mandatory parole in June 2011. Convicted of interference with commerce by robbery in United States District Court in 2012 and sentenced to 20 years. Mandatory parole revoked in 2013.

Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released to serve his federal robbery sentence in April 2019. Eligibility restoration theory:

Adrianne Bennett	08/09/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Parole violator. Strike I: 2 separate robberies with companion use of firearm convictions. Not at liberty between offenses. Release on mandatory parole on 3/7/1994 and discharged on 10/4/1994. Strike II: 2 separate robbery convictions occurring on 11/17/1994 w/out companion weapons convictions. Released on mandatory parole on 6/13/2011 and arrested on a parole violation on 4/30/2012. He is technical violator based on positive urine screens for marijuana and cocaine, failing to comply with drug treatment and moving without permission (note that he numerous abduction and robbery charges in 2012 that were nolle prossed.) RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Parole violator. Strike I: 2 separate robberies with companion use of firearm convictions. **Not at liberty between offenses.** Release on mandatory parole on 3/7/1994 and discharged on 10/4/1994. Strike II: 2 separate robbery convictions occurring on 11/17/1994 w/out companion weapons convictions. Released on mandatory parole on 6/13/2011 and arrested on a parole violation on 4/30/2012. He is technical violator based on positive urine screens for marijuana and cocaine, failing to comply with drug treatment and moving without permission (note that he numerous abduction and robbery charges in 2012 that were nolle prossed.) RECOMMENDATION: (sic) RESTORE PAROLE ELIGIBILITY (sic).

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at

liberty” element to Harris’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Harris was “Not at liberty between offenses” despite VPB records showing that Harris was free between each armed robbery. Chair Bennett also disregarded Harris’s 2012 federal robbery conviction when recommending that he be restored to discretionary parole eligibility, incorrectly labeling him as a “technical violator.”

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

14. Darrell Fields

Convicted of 5 robberies (different dates/victims), 2 malicious woundings, and 3 counts of use of a firearm in Virginia Beach and Portsmouth in 1993. Sentenced to 82 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in December 2018. Eligibility restoration theory:

Adrianne Bennett	01/30/2018	Parole Board Note	Three Strikes Review. 5 Robberies occurring in VB and Portsmouth occurring between 10/7/1992 and 11/10/1992. Two of the robberies did not include firearm convictions. VCIN Report - guilty of Norfolk robbery on 11/9/1994. He also had robbery charges in Newport News and Chesapeake Nolle Prossed (dismissed without prejudice). Malicious Wounding convictions are companions to a robbery with no gun - subject used a broom handle to assault victims per PSI.&& The robbery convictions were a spree without a legal interruption between offenses.
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Three Strikes Review: 5 Robberies occurring in VB and Portsmouth occurring between 10/7/1992 and 11/10/1992. Two of the robberies did not include firearm convictions. VCIN Report - guilty of Norfolk robbery on 11/9/1994. He also had robbery charges in Newport News and Chesapeake Nolle Prossed (dismissed without prejudice). Malicious Wounding convictions are companions to a robbery with no gun - subject used a broom handle to assault victims per PSI. **The robbery convictions were a spree without a legal interruption between offenses.**

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. In this case, Chair Bennett phrased the “at liberty” element as “a spree without a legal interruption between offenses.” While two of Fields’ five robberies did not involve firearm convictions, this still left 3 separate armed robberies with companion firearm convictions.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

15. Darryl Perry

Convicted of rape, forcible sodomy, abduction with intent to defile, 7 robberies, 4 simple abductions, 6 companion counts of use of a firearm, and attempted robbery in Virginia Beach and Norfolk in 1990. Sentenced to two life terms plus 122 years. In one incident, Perry and two fellow gang members abducted a woman outside her home, forced her into their car at gunpoint, took turns forcing the victim to perform fellatio and raping her, and robbed her of \$700.

In a separate robbery, Perry and a co-defendant committed a home invasion and robbed the occupant, beating him over the head with a sawed-off shotgun and sending him to the hospital. In a separate robbery, Perry and co-defendants committed a home invasion and forced the three occupants to the floor at gunpoint while they ransacked the apartment. In a separate robbery, Perry and co-defendants abducted a woman who had just arrived home, forcing her to drop everything and lie on the ground. The victim was forced to call her mother with a gun pointed at her head.

Perry was correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2019 in a letter signed by Chair Bennett. Granted parole and released in August 2020. Eligibility restoration theory:

Recommendation: Restore parole eligibility. Three strikes parole eligibility review. Major crime spree involving mainly robberies between 11/15/88 and 12/9/88 with gang members throughout Norfolk and VB. All crimes in Norfolk except those on 11/15 (VB). Dates of offense were 11/2, 11/12, 11/15 (11/15 VB: Rape, Robbery, UFA, Abduction, Sodomy) 11/17, 11/20). He has been in continuous custody since 11/25/88. Perry was 17 at time – one of younger gang members involved. He had a solid family – brothers and sisters all had jobs, some in the service then (some retired from the military and are is (sic) home plan currently). No prior juvenile record. Offender did well in school despite his learning disability until the 8th grade when he was at BTW and placed in special ed classes. He also worked at Decorum Furniture for anywhere from 18 months to 30 months (to different time frames in records). Notes in file indicate he has been of exceptional behavior. His home plan is with his siblings who retired from the military. No other predicate relevant offenses per VCIN. Only a Strike 1.

VIOLATIONS OF LAW AND POLICY:

No violations found.

16. Darryl Webb

Convicted of 12 robberies, 6 abductions, and 10 counts of use of a firearm in Hampton, Chesterfield, Richmond, Virginia Beach, Norfolk, Prince William, and Newport News in 1990. Sentenced to 179 years. During a robbery in Richmond, Webb abducted a motel employee, forced her into a car at gunpoint, and fled police with the victim in the car. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in June 2020.⁴ Eligibility restoration theory:

Adrianne Bennett	07/06/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Robbery spree with companion use of firearm convictions in a multitude of jurisdictions between 7/29/1990 and 9/10/1990. No prior or subsequent predicate offenses. Not at liberty between offenses. Co-defendant Freddie Ferrell #1061968 has had his eligibility restored and is under review. Recommendation: Restore parole eligibility.
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Three Strikes/Parole Ineligibility Review: Robbery spree with companion use of firearm convictions in a multitude of jurisdictions between 7/29/1990 and 9/10/1990. No prior or subsequent predicate offenses. **Not at liberty between offenses.** Co-defendant Freddie Ferrell #1061968 has had his eligibility restored and is under review. Recommendation: Restore parole eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Webb’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Webb was “Not at liberty between offenses” despite VPB records showing that Webb was free between each armed robbery.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

17. David Head

Convicted of armed robbery, use of a firearm, and escape from custody in Newport News in 1982. Released on discretionary parole. Convicted of 3 counts of robbery and 2 counts of entering a bank or church while armed in Newport News in 1992. Total sentence of 116 years. Prior convictions for 4 burglaries, 4 counts of uttering a forgery, auto theft, resisting arrest, assault and battery, tampering with a vehicle, trespassing, larceny, eluding police, and escaping custody.

The armed robbery resulting in the 1982 conviction involved Head’s co-defendant holding a shotgun on 5 bank tellers while Head filled a bag with money and checks. The bank robberies resulting in the 1992 convictions involved Head acting alone at 2 different banks on two different days, holding multiple bank tellers and customers at gunpoint while collecting money. Head stole over \$90,000 in these two bank robberies.

Head was correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in April 2020. Eligibility restoration theory:

Adrianne Bennett	09/05/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Strike 1: 1981 Robbery - no companion weapons offense that can be verified (VCIN – no disposition, but subsequent PSI lists a firearm conviction). Released on Parole (mandatory?) on August 13, 1989. Strike 2: New robbery convictions, not at liberty between offenses. 6/28/1991 – Robbery (x2) and entering a bank or church while armed and then 11/30/1991 – Robbery and Entering a bank or church while armed. No other convictions of predicate offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Strike 1: 1981 Robbery - no companion weapons offense that can be verified (VCIN – no disposition, but subsequent PSI lists a firearm conviction). Released on Parole (mandatory?) on August 13, 1989. Strike 2: New robbery convictions, **not at liberty between offenses.** 6/28/1991 – Robbery (x2) and entering a bank or church while armed and then 11/30/1991 – Robbery and Entering a bank or church while armed. No other convictions of predicate offenses. RECOMMENDATION: RESTORE PAROLE

ELIGIBILITY (sic)

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Head’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Head was “Not at liberty between offenses” despite VPB records showing that Head was free between each bank robbery he was later convicted of.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

18. David Simpkins

Convicted of 42 felonies in Smyth, Roanoke City, Roanoke County, Pulaski, Wythe, Rockbridge, Montgomery, Augusta, and Botetourt in 1989–90: forcible sodomy, aggravated sexual battery, 10 robberies, 8 counts of use of a firearm, 4 counts of wearing a mask in public, 4 forgeries, 3 burglaries, 3 grand larcenies, uttering a forgery, abduction, and possession of a firearm by a felon. Simpkins was sentenced to 218 years and correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC on multiple occasions, first in 1990:

INMATE: *Simpkins, David L.*
INMATE NUMBER: *176220*

IN ACCORDANCE WITH 53.1-151 B1, IT IS DETERMINED THAT THE ABOVE
REFERENCE SUBJECT IS NOT ELIGIBLE FOR PAROLE DUE TO HIS CONVICTIONS.
IT IS THEREFORE REQUESTED THAT HIS DISCRETIONARY PAROLE ELIGIBILITY
DATE BE REMOVED IN ACCORDANCE WITH THE ABOVE SECTION OF THE CODE OF
VIRGINIA.

VERIFIER *[Signature]*
MANAGER, COURT AND LEGAL *[Signature]*
DATE APPROVED: *7-19-90*

Robbery/Firearm 4-18-89 Roanoke County
Robbery/Firearm 4-22-89 Smyth
Robbery/Firearm 5/7-89 Pulaski

VADOC audited Simpkins' parole ineligibility in 1997 in conjunction with the Office of the Attorney General and again confirmed that Simpkins was ineligible for discretionary parole:

Re: D. Simpkins #176200 Date: 4-30-97
Inmate name and number

This case has been reviewed to ensure accuracy in accordance with Code of Virginia section 53.1-151, paragraph B1 as well as with advice of the Office of the Attorney General dated July 29, 1994 and December 29, 1995.

Signed: [Signature]
Title: Office Manager

Additional notes/Comments:
Simpkins is not eligible for parole on the total sentence on 218 years for multiple Armed Robberies

TO BE FILED ON THE LEFT SIDE OF THE INMATE'S COURT & LEGAL FILE.

"Simpkins is not eligible for parole on the total sentence of 218 years for multiple armed robberies."

Simpkins appealed VADOC's determination that he was ineligible for discretionary parole multiple times. One such appeal occurred in 2002, in which Simpkins incorrectly argued that § 53.1-151(B1) "only applies when at liberty between offenses."

(SPACE LEFT INTENTIONALLY BLANK)

APPEAL OF PAROLE INELIGIBILITY

TO: VIRGINIA PAROLE BOARD

DATE: 4-8-2002

FROM: David L. Simpkins
(Name)

76220
(State ID No.)

AUGUSTA CORRECTIONAL CENTER
(Institution)

RE: Appeal of Parole Ineligibility Pursuant to Sec. 53.1-151(B1)

I appeal the parole ineligibility decision by the Department of Corrections in application of Sec. 53.1-151 (B1) based on the following facts:

I WAS ARRESTED ON ALL MY CHARGES IN 1989 AND CONVICTED ON ALL CHARGES UNDER ONE SENTENCE. JUST DIFFERENT SENTENCING DATES. THIS LAW WAS AMENDED IN 1993 AFTER I WAS ALREADY SERVING TIME. I WAS NEVER TOLD OF THIS LAW UNTIL FIVE LATER WHEN I RECEIVED MY FIRST UPDATE SHEET WHERE ALL MY UPDATE SHEETS SAY 53.1-151 A NOT 53.1-151 B1 I AM NOT SERVING A LIFE SENTENCE. I FEEL DOUBLE JEOPARDY AS I WAS SENTENCED ONCE BY THE COURT AND AGAIN BY D.O.C. THIS LAW MANDATES FOR THIRD WITHOUT OFFENSE BUT ONLY APPLIES WHEN AT LIBERTY BETWEEN OFFENSES

David Simpkins
(Signature)

DO NOT WRITE BELOW THIS LINE

☒ The Parole Board finds that you are not eligible for parole pursuant to Sec. 53.1-151 (B1) as determined by the factors set forth in Virginia Parole Board Administrative Policy and Procedure.

☐ The Parole Board finds that you are eligible for parole pursuant to Sec. 53.1-151 as determined by the factors set forth in Virginia Parole Board Administrative Policy and Procedure. You will, therefore, be reviewed for parole in accordance with the provisions of Sec. 53.1-154 and Virginia Parole Board policy and procedure.

David A. Harlan
Signature/Title

Date

cc: Court and Legal Services Unit
Institution
Central File

VPB correctly rejected Simpkins' argument and voted to uphold his parole ineligibility:

**Parole Ineligibility [Section 53.1-151 (B1)]
Appeal Review Summary**

Name: David Lee Simpkins

No: 176220

Qualifying Offenses/Date:

<u>Crime</u>	<u>Date</u>	<u>Jurisdiction</u>
Robbery	4/10/89	Botetourt Co. (Stop In)
Robbery	4/17/89	Wythe Co. (Days Inn)
Robbery	4/18/89	Roanoke (Plantation Texaco)
Robbery	4/29/89	Smythe Co. (Exxon Gas Station)
Robbery	4/27/89	Rockbridge Co. (Stop-In)
Robbery	5/1/89	Rockbridge Co. (Exxon)
Robbery	5/7/89	Pulaski Co. (Southgate Food Mart)
Robbery	5/7/89	Pulaski Co. (Food Mart)
Robbery	5/13/89	Rockbridge Co. (Hill Top Store)
Robbery	5/22/89	Rockbridge Co. (Little Store)
Robbery	5/29/89	Augusta Co. (Moo Maw Gas Sta.)
Robbery	5/29/89	Botetourt Co. (Dodge Conv. Store)
Robbery	6/25/89	Botetourt Co. (Comfort Inn)

For participation in the above offenses, Simpkins was sentenced to an aggregate 218 year sentence, all of which the Department of Corrections has declared ineligible under Virginia Code Section 53.1-151(B1). He presently has a mandatory parole release date of October 17, 2098. Subject is eligible to apply for geriatric consideration when he turns 60 years of age in 2022.

Circumstances of the Offenses:

Between 4/10/89 and 6/25/89, subject and codefendants committed a rash of robberies along the Interstate 81 corridor to include Botetourt County, Pulaski County, Wythe County, Rockbridge County, Augusta County, Smythe County and the City of Roanoke. They either presented guns or knives, which the victims always observed and they were always wearing stocking masks when they committed the crimes.

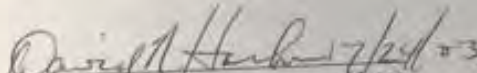
Assessment:

The above cited qualifying offenses do not constitute a common act, transaction or scheme as the offenses occurred at different times, different places, and involved victims unrelated to each other or to Simpkins. The presumed motive for these crimes was to acquire money.

Recommendation:

I recommend that the Virginia Parole Board rule Simpkins is ineligible for parole in accordance with the provisions of Section 53.1-151 (B1).

Reviewer:


David N. Harker (date)

PAROLE INELIGIBILITY APPEAL DECISION RECORD

Name: David L. Simpkins No.: 176220

Not Eligible for parole pursuant to Section 53.1-151(B1)

David M. Harkins 7/24/03
Parole Board Member Date

James Neuman 7-24-03
Parole Board Member Date

Robert G. Gentry 7/24/03
Parole Board Member Date

[Signature] 7/29/03
Parole Board Member Date

Carol A. Stevens 7/29/03
Parole Board Member Date

Simpkins again appealed his parole ineligibility in 2008, receiving a similar denial:

COMMONWEALTH of VIRGINIA
Department of Corrections

Offender Management Services
Court and Legal Services Correspondence Section

To: David Simpkins #176220 Date: 01/08/08


Location: Pocahontas State Correctional Center

This is in response to your letter regarding your time computation.

You should have received a letter from the Virginia Parole Board in 8/2003. It states that the Virginia Parole board has reviewed your appeal of parole Ineligibility in accordance with provisions of Section 53.1-151 (B1) and has determined you to be ineligible for parole as determined by the Department of Corrections.

I hope that this addresses your concerns.

Correspondence Section/BB
Court and Legal Services
6900 Atmore Drive
Richmond, Virginia 23225



VIRGINIA PAROLE BOARD

RECEIVED

DEC - 6 2017

APPEAL OF PAROLE INELIGIBILITY PURSUANT TO SEC. 53.1-151

Simpkins David L

NORTHWAY CORR CENTER

1051037

I appeal the parole ineligibility decision by the Department of Corrections in application of Sec. 53.1-151 (B1) based on the following facts:

I AM APPEALING MY PAROLE INELIGIBILITY DUE TO YOUR
INTERPRETATION OF 53.1-151 D1 AND THE FACT THAT
I HAVE NOT BEEN AT LIBERTY BETWEEN MY CONVICTIONS

11-30-2017

DATE (MM/DD/YYYY)

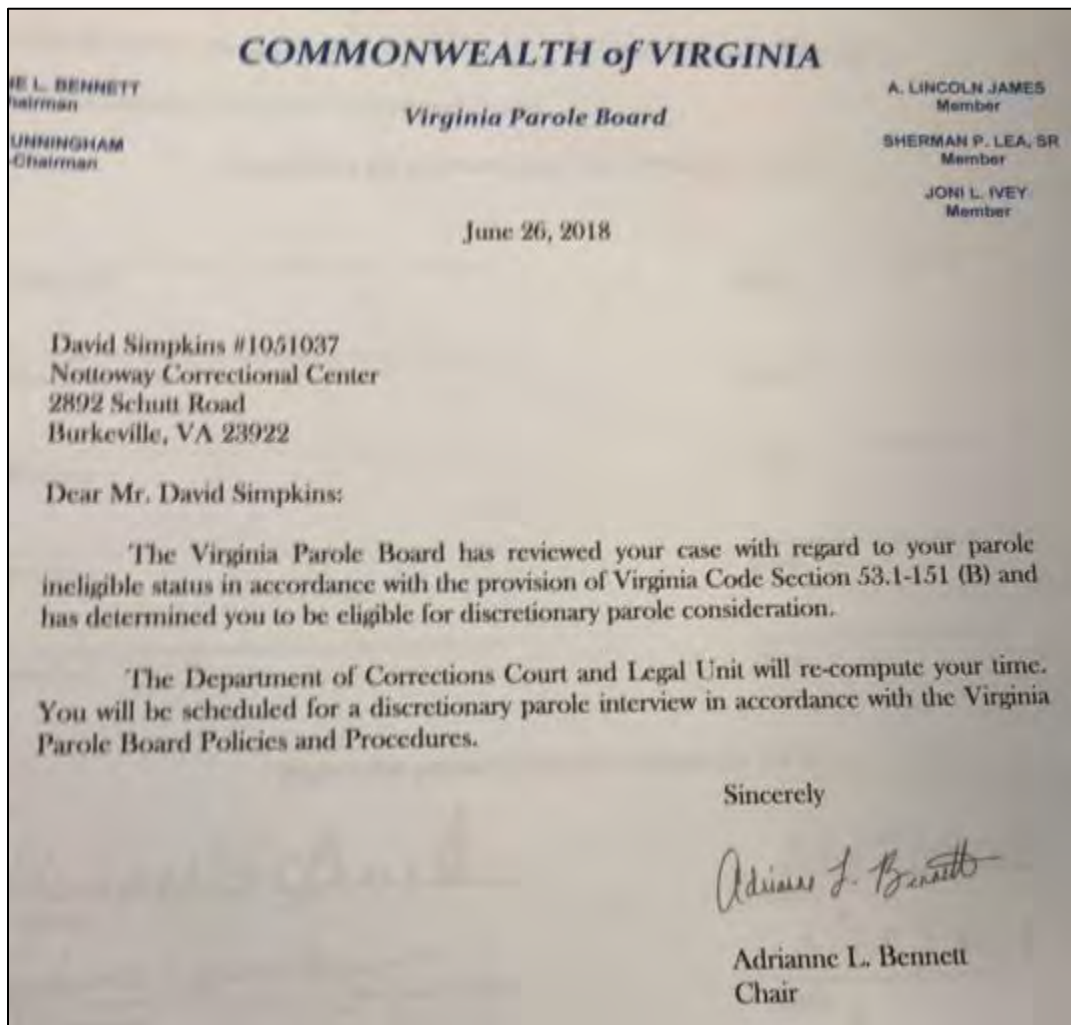
x David Simpkins

SIGNATURE

Adrianne Bennett	06/25/2018	Parole Board Note	Three Strikes Parole Ineligibility Review: This offender committed 13 robberies from 4/10/1989 to 6/25/2018 with at least 6 of the robberies having companion use of firearm convictions. These offenses were a spree. The offender was not at liberty between offenses and has no prior or subsequent convictions. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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24

Chair Bennett reversed Simpkins' discretionary parole ineligibility in a 2018 letter:



Simpkins was subsequently granted parole and released in April 2020.

Following his release, Simpkins began committing armed robberies in July 2020. Simpkins was convicted of 15 new violent felonies in Wythe, Botetourt, Roanoke County, Rockbridge, Bedford, and Pulaski. Simpkins' new convictions included 10 armed robberies, 2 counts of use of a firearm, 2 counts of possession of a firearm by a violent convicted felon, and grand larceny. He was sentenced to a total of approximately 102 years in prison.

Applying the "at liberty" element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the "at liberty" element to Simpkins' offenses, she did so incorrectly. Chair Bennett erroneously concluded that Simpkins was "not at liberty between offenses" despite VPB records showing that Simpkins was free between each prior armed robbery.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

(4) VPB Administrative Procedure 1.222 permitting only one appeal per offender unless significant new information is presented. Simpkins presented no actual new information about his convictions in his 2017 appeal. The only items Simpkins referenced in that appeal were Chair Bennett's unlawful new "interpretation" of § 53.1-151(B1) and his previously rejected argument that he was not "at liberty" between offenses. Neither item was new "evidence," but rather, recycled arguments that prior Parole Boards and VADOC administrators correctly rejected.

19. Dion Reeve

Convicted of 4 robberies (3 different offense dates/victims) and 4 companion counts of use of a firearm in Newport News in 1992. Sentenced to 53 years. Prior New York robbery conviction. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in June 2019. Eligibility restoration theory:

Adrianne Bennett	05/07/2018	Parole Board Note	Three Strikes Parole Ineligibility Review: No prior record, not at liberty between offenses. One Sentencing Event: 5/8/1991 Robber and UFA (Super 8 Motel), 5/22/1991 Robbery & UFA (McDonalds), 5/30/1991 Robbery x2 and UFA x2 (McDonalds). Recommendation: Restore Parole Ineligibility.
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Three Strikes Parole Ineligibility Review: No prior record, **not at liberty between offenses**. One Sentencing Event: 5/8/1991 Robber (sic) and UFA (Super 8 Motel), 5/22/1991 Robbery & UFA (McDonalds), 5/30/1991 Robbery x2 and UFA x2 (McDonalds). Recommendation: Restore Parole Ineligibility. (sic)

Applying the "at liberty" element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the "at liberty" element to Reeve's offenses, she did so incorrectly. Chair Bennett erroneously concluded that Reeve was "not at liberty between offenses" despite VPB records showing that Reeve was free between each armed robbery.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

20. Donald Hawkins

Convicted of 8 robberies (8 different locations/victims), 9 companion counts of use of a firearm, and attempted robbery in Newport News and Hampton in 1994–95. Sentenced to 64 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in

August 2019. Eligibility restoration theory:

Adrianne Bennett	08/08/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree with companion use of firearm convictions occurring in two jurisdictions between 6/25/1994 and 7/13/1994. Not at liberty between offenses. No prior or subsequent convictions of predicate offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree with companion use of firearm convictions, occurring in two jurisdictions between 6/25/1994 and 7/13/1994. **Not at liberty between offenses.** No prior or subsequent convictions of predicate offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Hawkins’ offenses, she did so incorrectly. Chair Bennett erroneously concluded that Hawkins was “not at liberty between offenses” despite VPB records showing that Hawkins was free between each armed robbery.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

21. Donald Norman

Convicted of 4 robberies (3 different offense dates/locations), 5 malicious wounding, and 5 companion counts of use of a firearm in Suffolk in 1989. Sentenced to 2 life terms plus 78 years. One robbery involved a gunpoint robbery of a cab driver and his wife during which Norman and his co-defendant threatened to “blow the bitch’s head off.” The final robbery involved Norman and 2 co-defendants robbing a supermarket, during which a victim was stabbed and shot, resulting in lifetime paralysis; the victim’s mother was slashed in the face with a knife.

Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in July 2019. Eligibility restoration theory:

[illegible]

Three Strikes Parole Eligibility Review: One spree 7/2/1988, 10/4/1988 and 10/24/1988; one sentencing event; no prior or subsequent convictions of predicate offenses. RECOMMENATION: (sic) Restore Parole Eligibility. (Note: PSI states that Co-Defendant, Clinton Powell was the leader. They met while working together at a lumber yard in Suffolk. Also note that there is an affidavit in the file made by Horace Simon on September 28, 2008 wherein he stated that he testified

falsely against Mr. Norman under threat of incarceration by the CWA and that “Donald Norman was not involved in the Dailey Supermarket Robbery,” which is the one for which he received a life sentence; 10/24/1988. The PSI has a co-defendant being the shooter and another co-defendant having had a knife and cutting a woman's face.)

Chair Bennett’s reliance on a post-conviction affidavit allegedly exonerating Norman of one of the robberies is unsupported by any competent evidence and is legally inappropriate under Virginia law.⁵ Chair Bennett further unlawfully applied the “at liberty” element to Donald Norman’s offenses by implication by referencing “one spree” and “one sentencing event.”

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

22. Douglas James

Convicted of 4 robberies and 3 companion counts of use of a firearm in Prince William, Fairfax, and Alexandria in 1983. Sentenced to 75 years. Prior conviction for attempted armed robbery with a deadly weapon in Maryland. Deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in June 2019. Eligibility restoration theory:

Three Strikes/Parole Ineligibility Review: All robberies occurred on the same day within hours, but in separate NOVA counties on 11/20/1983. Prince William County Circuit ruled that the robberies were “an unbroken chain of events”. Nevertheless, DOC determine (sic) him eligible and Parole Board upheld. There were four robberies on that day, three of the robberies had companion use of firearm convictions. RECOMMENDATION: Restore parole eligibility.

VIOLATIONS OF LAW AND POLICY:

No violations found.

23. Douglas Smalls

Convicted of 7 robberies in Alexandria and Arlington in 1998 and 1999. Sentenced to 24 years. Smalls admitted that during the robberies, he entered businesses and “showed them a knife and demanded money.” There is no indication that VADOC ever deemed Smalls to be ineligible for discretionary parole under § 53.1-151(B1), because Smalls’ robbery convictions occurred after parole was abolished in 1995. Chair Bennett nevertheless conducted a “three strikes” analysis:

THREE STRIKES/PAROLE INELIGIBILITY REVIEW: This offender does not have any three strikes predicate offenses with dates of offenses prior to January 1, 1995. He has a simple possession of cocaine with a date of offense in 1994 and

given 3 years to serve in 2000 (likely a parole violation). There is nothing in his file from Court and Legal indicating that he is a three strikes offender, but he should have a DPED for the simple possession of cocaine. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.

VIOLATIONS OF LAW AND POLICY:

No violations found.

24. Edward Simms

Convicted of 8 robberies, 8 companion counts of use of a firearm, 3 counts of possession of a sawed-off shotgun, abduction, and burglary in Hampton and Newport News in 1987. Sentenced to 3 life terms plus 63 years. Prior convictions for manslaughter, aggravated sexual battery, 3 counts of forgery, 3 counts of uttering a forgery, grand larceny, and committing abduction while a prisoner. Subsequent conviction for assault & battery by an inmate in Mecklenburg in 1991. Subsequent convictions for 2 counts of malicious wounding as in inmate and possession of a weapon by an inmate in Powhatan in 1992.

Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Appeal of ineligibility denied by VPB in 2010. Ineligibility reversed in 2019 in a letter signed by Chair Bennett. Granted parole and released in January 2020. Eligibility restoration theory:

Three strikes disc. parole ineligibility review. Recommendation: Restore disc. parole eligibility status. Strike one: Armed robbery, Boston, Massachusetts, date of arrest, 9/5/1977, date of conviction appears to be 3/10/1978 – offender received an 18 year sentence. Strike two: Several month crime spree in summer and fall of 1989, multiple robberies/UFA/abduction. Last incident took place on 11/16/1989 – offender in custody as of 11/17/89 and has remained in continuous custody since. No other predicate offense per VCIN (note however def. does have a manslaughter conviction from Boston from the 1981 time frame).

Three strikes disc. parole ineligibility review. Recommendation: Restore disc. parole eligibility status. Strike one: Armed robbery, Boston, Massachusetts, date of arrest, 9/5/1977, date of conviction appears to be 3/10/1978 – offender received an 18 year sentence. Strike two: Several month crime spree in summer and fall of 1989, multiple robberies/UFA/abduction. Last incident took place on 11/16/1989 – offender in custody as of 11/17/89 and has remained in continuous custody since. No other predicate offense per VCIN (note however def. does have a manslaughter conviction from Boston from the 1981 time frame).

VIOLATIONS OF LAW AND POLICY:

No violations found.

25. Eugene Powell

Convicted of 6 robberies, 7 companion counts of use of a firearm, 2 counts of attempted robbery, and malicious wounding in Norfolk and Virginia Beach in 1994. Sentenced to 55 years. Prior conviction for escaping from custody. During one of Simms' robberies, he shot a store employee. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Appeal of parole ineligibility denied by VPB in 2010. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in May 2019. Eligibility restoration theory:

Adrienne Bennett	05/21/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Robbery Spree of McDonalds and one Dominos Pizza from 3/10/1994 and 5/25/1994 with companion firearms convictions; not at liberty between offenses; no prior or subsequent convictions of predicate offenses. RECOMMENDATION: Restore Parole Eligibility.
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Three Strikes/Parole Ineligibility Review: Robbery Spree of McDonalds and one Dominos Pizza from 3/10/1994 and 5/25/1994 with companion firearms convictions; **not at liberty between offenses**; no prior or subsequent convictions of predicate offenses. RECOMMENDATION: Restore Parole Eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Powell’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Powell was “not at liberty between offenses” despite VPB records showing that Powell was free between each armed robbery.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

26. Freddie Ferrell

Convicted of 13 robberies, 12 companion counts of use of a firearm, 7 abductions, and attempted robbery in Chesterfield, Hampton, Richmond City, Virginia Beach, Norfolk, Prince William, and Henrico in 1990. Subsequent conviction for unlawful wounding by an inmate in Southampton in 1992. Total sentence of 2 life terms plus 136 years. Prior convictions for 2 burglaries, 2 auto thefts, and escape from custody. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in January 2019.⁶ Eligibility restoration theory:

Adrienne Bennett	04/23/2018	Parole Board Note	Three Strikes Offender. All of the PSIs are in the Parole Board's three strikes file and should be uploaded into CORIS. All applicable offenses were part of a crime spree with no interruptions in the offender's liberty occurring between August 14, 1990 and September 13, 1990. Recommendation: Restore eligibility.
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Three Strikes Offender. All of the PSIs are in the Parole Board's three strikes file and should be uploaded into CORIS. All applicable offenses were part of a crime spree **with no interruptions in the offender's liberty** occurring between August 14, 1990 and September 13, 1990. Recommendation: Restore eligibility.

Considering the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. Ferrell was released from prison in January 2019, and Chair Bennett unilaterally terminated his parole supervision in March 2020. Ferrell committed armed robbery and abduction in Henrico in December 2020, and he was sentenced to 9 years in prison.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

27. Gary Tolliver

Convicted of 3 robberies (different dates/victims), 2 companion counts of use of a firearm, 2 counts of possession of a firearm by a felon, and malicious wounding in Staunton, Charlottesville, and Rockingham/Harrisonburg between 1992 and 1994. Sentenced to 51 years. Deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. VPB records show that at least two of Tolliver's robberies were committed at gunpoint. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in February 2019.

VIOLATIONS OF LAW AND POLICY:

No violations found.

28. Gregory Fleming

Convicted of rape, abduction, 5 robberies, 2 counts of attempted murder, burglary, and 7 companion counts of use of a firearm in Richmond City and Chesterfield in 1984 and 1985. Sentenced to 80 years. Fleming and two co-defendants pulled guns on a woman getting out of her car outside her apartment, forced her inside, and took turns raping her at gunpoint. They tied her up with a pair of pantyhose, covered her with a quilt, and ransacked her apartment before leaving. In a separate incident on the same day, Fleming and co-defendants approached a home but decided not to rob it. The residents came up to Fleming's car, and Fleming and his co-defendants pursued them and shot at them. Fleming was correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in January 2020. Eligibility restoration theory:

Adrianne Bennett	09/10/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree (with companion weapons offenses) and one rape – occurring over a 5 day period of time in March of 1984. No prior or subsequent predicate offense convictions. Not a liberty between offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree (with companion weapons offenses) and one rape – occurring over a 5 day period of time in March of 1984. No prior or subsequent predicate offense convictions. **Not a (sic) liberty between offenses.** RECOMMENDATION: RESTORE PAROLE ELIGIBILITY. (sic)

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Fleming's offenses, she did so incorrectly. Chair Bennett erroneously concluded that Fleming was “not at liberty between offenses” despite VPB records showing that Fleming was free between the rape and armed robbery offenses.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

29. Hakim Rasheed, f/k/a John Parker

Convicted of 8 robberies (different victims/locations), 2 companion counts of use of a firearm, and attempted robbery in Hampton and Newport News in 1991. Sentenced to 50 years. Prior convictions for escaping from custody, 3 counts of shoplifting, 2 counts of concealment of merchandise, 2 grand larcenies, petit larceny, and multiple probation and parole violations.

During one robbery in Newport News, Rasheed robbed a business at gunpoint. Rasheed put the gun to the victim’s face and told him to “back off” before fleeing. In a separate robbery, Rasheed entered a motel, asked for the price of a room, and then put a handgun to the clerk’s head, made the clerk lie on the floor, and robbed the victim and the cash drawer before fleeing. In a separate robbery, Rasheed entered a different motel, displayed a firearm, and demanded money from the clerk. He then jumped over the counter, took cash from the drawer, and fled.

Rasheed committed three different armed robberies on December 20, 1990. The first robbery involved Rasheed robbing a Days Inn clerk with a handgun; Rasheed locked the victim in a back room and fled. Later the same morning, Rasheed robbed a laundromat clerk at gunpoint, forcing the victim to lie on the floor and threatening to shoot her if she moved. Later the same night, Rasheed and a codefendant robbed a gas station with a shotgun. In a separate robbery, Rasheed robbed a florist shop clerk at gunpoint, threatening to shoot the clerk before taking money and fleeing. In a separate robbery, Rasheed jumped the counter of a Super 8 motel, threatened the pregnant female employee with a knife, took cash, and fled. Rasheed was correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in August 2019. Eligibility restoration theory:

Adrianne Bennett	05/21/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Robbery spree (not at liberty between offense) from 10/20/1990 to 12/23/1990. No prior or subsequent predicate offenses. Recommendation: Restore Parole Eligibility.
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Three Strikes/Parole Ineligibility Review: Robbery spree **(not at liberty between offense)** from 10/20/1990 to 12/23/1990. No prior or subsequent predicate offenses.
Recommendation: Restore Parole Eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Rasheed’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Rasheed was “not at liberty between offenses” despite VPB records showing that Rasheed was free between each of his eight armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a

new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

30. Henry Holmes

Convicted of 3 robberies (separate dates/locations/victims), 3 companion counts of use of a firearm, and 2 burglaries in Norfolk and Virginia Beach in 1994–95. Sentenced to 44 years. Subsequent conviction for conspiring to deliver drugs to a prisoner. Prior convictions for 8 burglaries and 7 grand larcenies. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in April 2020. Eligibility restoration theory:

Adrianne Bennett	07/06/2018	Parole Board Note	Three Strikes/Parole Eligibility Review: Robbery Spree consisting of three separate robberies with companion firearm convictions on 5/1/1994 (Virginia Beach), 5/13/1994 (Norfolk) and 5/25/1995 (Virginia Beach). No prior or subsequent convictions of predicate offenses. Not at liberty between offenses. RECOMMENDATION: Restore Parole Eligibility.
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Three Strikes/Parole Eligibility Review: Robbery Spree consisting of three separate robberies with companion firearm convictions on 5/1/1994 (Virginia Beach), 5/13/1994 (Norfolk) and 5/25/1995 (sic) (Virginia Beach). No prior or subsequent convictions of predicate offenses. **Not at liberty between offenses.** RECOMMENDATION: Restore Parole Eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Holmes’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Holmes was “not at liberty between offenses” despite VPB records showing that Holmes was free between each of his three unrelated armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

31. Horace Woods

Convicted of rape, abduction, 5 robberies, 5 companion counts of use of a firearm, and 2 burglaries in Chesterfield and Richmond in 1984–85. Sentenced to 89 years. Prior convictions for burglary, possession of burglarious tools, trespassing, shoplifting, and petit larceny. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Appeal of parole ineligibility denied by VPB in 1995. Ineligibility reversed in 2019 in a letter signed by Chair Bennett. Granted parole and released in April 2020. Eligibility restoration theory:

Three strikes parole eligibility. Recommendation: Restore parole eligibility. Strike 1: Robbery, Weapons, Rape (Date of Offense: 3/22/1984, Date of Sentence: 10/1/1984); Strike 2: Robberies, Weapons, (Dates of Offense: 3/23/1984-3/27/1984; Date of Sentence: 1/31/1985).

Three strikes parole eligibility. Recommendation: Restore parole eligibility. Strike 1: Robbery, Weapons, Rape (Date of Offense: 3/22/1984, Date of Sentence: 10/1/1984); Strike 2: Robberies, Weapons, (Dates of Offense: 3/23/1984-3/27/1984; Date of Sentence: 1/31/1985).

VIOLATIONS OF LAW AND POLICY:

(1) VPB Administrative Procedure 1.222 permitting only one appeal per offender unless significant new information is presented. Woods unsuccessfully appealed his parole-ineligible status in 1995, and no new information existed to support reconsideration.

32. James Hooks

Convicted of 12 robberies and 2 attempted robberies in Newport News, Hampton, Norfolk, and York in 1993 and 1994. Sentenced to 113 years. Prior convictions for 3 burglaries, robbery, grand larceny, petit larceny, and assault & battery. In 4 unrelated armed robberies in York, Hooks threatened the different victims with a knife or a screwdriver. In one armed robbery in Norfolk, Hooks displayed a knife. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in June 2019. Eligibility restoration theory:

Adrienne Bennett	05/07/2018	Parole Board Note	Three Strikes Parole Ineligibility Review: One prior Robbery conviction from 1986. At liberty, then went on a robbery spree committing 12 Robberies in 4 jurisdictions One robbery on 1/8/1992 and the remaining robberies all occurred in July of 1993; no weapons convictions (knife used in 6 counts); one sentencing even in each of the four jurisdictions. Recommendation: For the foregoing reasons the offender has two strikes - RESTORE PAROLE ELIGIBILITY.
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Three Strikes Parole Ineligibility Review: One prior Robbery conviction from 1986. **At liberty**, then went on a robbery spree committing 12 Robberies in 4 jurisdictions One robbery on 1/8/1992 and the remaining robberies all occurred in July of 1993; no weapons convictions (knife used in 6 counts); one sentencing even in each of the four jurisdictions. Recommendation: For the foregoing reasons the offender has two strikes - RESTORE PAROLE ELIGIBILITY.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. Chair Bennett acknowledged that Hooks used a knife in 6 robberies, yet erroneously concluded that Hooks was eligible for discretionary parole under § 53.1-151(B1).

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

33. Jerry Gilbert

Convicted of 3 robberies (different dates/victims/locations) and use of a firearm in Henrico in 1988. Sentenced to 62 years. Prior convictions for robbery and arson. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Released on parole in July 2019. Eligibility restoration theory:

served over 30 years!!!)

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Haney’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Haney was “not at liberty between offenses” despite VPB records showing that Haney was free between each of his five armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

35. Joaquin Rodriguez

Convicted of 3 robberies (different dates/victims), 4 abductions, 5 companion counts of use of a firearm, attempted robbery, and maiming in Fairfax County and Arlington in 1993. Sentenced to 108 years. During one robbery in Arlington, Rodriguez pulled a gun on a cab driver, demanded money, took the cab driver’s shirt, stole \$70, and then fired a shot at the cab driver before forcing him to move on. During a different robbery, Rodriguez forced the victim to take his clothes off, then forced the victim at gunpoint to go to an ATM and withdraw money; the victim escaped when a marked police car drove by.

During a different robbery, Rodriguez approached a woman near her car, pulled a gun on her, and forced her to get in the car and start the engine. Rodriguez then made the victim slide over into the passenger seat, and he robbed her of \$60 at gunpoint. Rodriguez made the woman leave, and he then fled, later setting the car on fire. During a different robbery, Rodriguez pulled a gun on a cab driver and threatened to kill him. Rodriguez then took the victim’s money and necklace, forcing him to throw the car keys out the window.

Rodriguez’s attempted robbery and maiming convictions were for trying to carjack a woman and then shooting her in the back when she tried to flee. The woman spent ten days in the hospital and identified Rodriguez as the shooter.

Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. No other information regarding VPB’s reversal of Rodriguez’s parole ineligibility is available in CORIS. Rodriguez was granted parole and released in December 2019; he was deported to El Salvador in February 2020.

VIOLATIONS OF LAW AND POLICY:

No violations found.

36. John Fareed

Convicted of 3 robberies, abduction, 4 companion counts of use of a firearm, grand larceny,

and 2 burglaries in Henrico, Hanover, Chesterfield, and Richmond City in 1992. Sentenced to 115 years. Prior conviction for burglary in Richmond City in 1982. Prior convictions for 3 robberies, burglary, and credit card theft in Hopewell, Prince George, and Richmond City between 1974 and 1976. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2019 in a letter signed by Chair Bennett. Granted parole and released in June 2020. Eligibility restoration theory:

Three strikes disc. parole eligibility review. Strike 1: Offenses involved a crime spree of robberies with guns for which Fareed was arrested on 2/27/1992. The spree took place between 2/15/1992 to 2/27/1992, with note in reports that offender was also suspected of robberies (but not charged) going back to November, 1991. Fareed was convicted of robbing with a weapon: TJ Maxx (Henrico, date of offense: 2/15/92, victims: [REDACTED], [REDACTED]), Mini Mart (Richmond, date of offense: 2/25/92, victim: [REDACTED]), Super 8 Motel (Chesterfield, date of offense: 2/27/92, victim, [REDACTED], Manager of Super 8 at the time). Fareed has been in continuous custody since 2/27/1992. No other predicate offenses per VCIN.

VIOLATIONS OF LAW AND POLICY:

No violations found.

37. John Moore

Convicted of 8 robberies, 4 counts of use of a firearm, entering a bank armed, and attempted escape from custody in York and Williamsburg between 1985–87; sentenced to 139 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in August 2019. Eligibility restoration theory:

Adrianne Bennett	06/25/2018	Parole Board Note	Three Strike Parole/Ineligibility Review: This offender has four qualifying robbery with use of firearm convictions constituting a spree. Not at liberty between offenses and no prior so subsequent predicate offenses. PSIs are in the Three Strikes file, but have not been uploaded into CORIS. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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Three Strike Parole/Ineligibility Review: This offender has four qualifying robbery with use of firearm convictions constituting a spree. **Not at liberty between offenses** and no prior so subsequent predicate offenses. PSIs are in the Three Strikes file, but have not been uploaded into CORIS. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Moore’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Moore was “not at liberty between offenses” despite VPB records showing that Moore was free between each of his eight armed robberies.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a

new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

38. John Tillerson

Convicted of 12 robberies (different victims/locations) and 12 companion counts of use of a firearm in Alexandria, Fairfax County, and Arlington in 1985. Sentenced to 135 years. Prior convictions for unlawful wounding, marijuana distribution, and receiving stolen property. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in August 2019. Eligibility restoration theory:

Adrienne Bennett	01/29/2018	Parole Board Note	 This offender has a prior criminal history, but no prior robberies appear on VCIN report. One PSI indicates conviction of a robbery as juvenile. The robberies occurred between 12/13/1983 and 1/12/84. The offender has 10/11 different offense dates in three different jurisdictions (Arlington, Fairfax, Alexandria). He was ultimately arrested in Pennsylvania in January 1984 on an armed robbery offense and sentenced to 5 to 10 years. No evidence that he served this sentence or if there is a detainer dangling out there somewhere. He was returned to VA and sentenced in each VA jurisdiction January, March and December 1985. The robberies were a spree whereby there was not an interruption of the offender's liberty.]
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This offender has a prior criminal history, but no prior robberies appear on VCIN report. One PSI indicates conviction of a robbery as juvenile. The robberies occurred between 12/13/1983 and 1/12/84. The offender has 10/11 different offense dates in three different jurisdictions (Arlington, Fairfax, Alexandria). He was ultimately arrested in Pennsylvania in January 1984 on an armed robbery offense and sentenced to 5 to 10 years. No evidence that he served this sentence or if there is a detainer dangling out there somewhere. He was returned to VA and sentenced in each VA jurisdiction January, March and December 1985. **The robberies were a spree whereby there was not an interruption of the offender's liberty.**

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. Under the plain text of binding Virginia precedent, it is irrelevant that Tillerson was “at liberty” between his 12 armed robberies, and that element cannot lawfully be added to VPB’s consideration under § 53.1-151(B1) without amending the statute.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

39. John Williams

Convicted of 2 robberies (different victims and locations), attempted robbery, 3 companion convictions of use of a firearm, burglary, 2 counts of felony larceny, and petit larceny in Chesterfield, Colonial Heights, Hanover, and Petersburg in 1988. Sentenced to 100 years. Williams held each robbery victim at gunpoint. Prior convictions for armed robbery (separate offense date and victim), robbery by force, multiple burglaries, grand larceny, grand larceny of an

automobile, attempted burglary, receiving stolen property, vehicular trespass, 2 counts of shoplifting, trespassing, impeding a police officer, concealing merchandise, and petit larceny.

Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in January 2020. Eligibility restoration theory:

Adrianne Bennett	05/21/2018	Parole Board Note	Three Strikes/ Parole Eligibility Review: Robbery spree 10/28/1987, 10/28/1987, 11/4/1987; not at liberty between offenses; no prior or subsequent convictions of predicate offenses. RECOMMENDATION: Restore Parole Eligibility (Note: DPED is 10/8/2040).
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Three Strikes/ Parole Eligibility Review: Robbery spree 10/28/1987, 10/28/1987, 11/4/1987; **not at liberty between offenses**; no prior or subsequent convictions of predicate offenses. RECOMMENDATION: Restore Parole Eligibility (Note: DPED⁷ is 10/8/2040). (sic)

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Williams’ offenses, she did so incorrectly. Chair Bennett erroneously concluded that Williams was “not at liberty between offenses” despite VPB records showing that Williams was free between each of his armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

40. Johnny Nelson

Convicted of robbery and attempted robbery in Alexandria in 1968. Sentenced to 12 years. Convicted of first-degree murder by an inmate in Powhatan in 1973 and sentenced to life in prison. Convicted of possession of drugs by an inmate in Richmond in 1976. Released on discretionary parole in 1985. Convicted of 5 counts of attempted murder, 2 robberies, and 6 counts of use of a firearm in Richmond City and Henrico in 1986. Total sentence of life plus 98 years. After committing the 1986 bank robbery, Nelson and his co-defendants fired at police while escaping. Nelson and a co-defendant attempted to break into a home to escape police, but they were seen by a citizen, whom Nelson fired at multiple times.

Nelson was correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2019 in a letter signed by Chair Bennett. Granted parole and released in March 2021. Eligibility restoration theory:

Three strikes parole ineligibility review. Recommendation: Restore discretionary parole eligibility status. Strike one offenses: Murder date of offense 9/15/73, sentencing took place on 11/5/1973. Released on parole for this offense on 11/27/1985. Strike 2 offenses: Multiple attempted murders, robberies, and weapons offenses took place on 1/31/1986. Sentenced on 4/25/1996 (sic) (Richmond) and

9/30/96 (sic) (Henrico). No other relevant predicate convictions per VCIN.

VIOLATIONS OF LAW AND POLICY:

No violations found.

41. Joseph Miles

Convicted of 8 robberies and 4 companion counts of use of a firearm in Norfolk and Chesapeake in 1993. Sentenced to 2 life terms plus 46 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2019 in a letter signed by Chair Bennett. Granted parole and released in March 2021. Eligibility restoration theory:

Adrianne Bennett	05/07/2018	Parole Board Note	Three Strikes Parole Ineligibility Review: No prior record not a liberty offenses, 2 sentencing events - Norfolk (armed robberies of 5 different stores - 9/8/1992, 9/17/1992, 9/21/1992, 3 hours later 9/21,1992, 9/25/1992) and Chesapeake (robbed people at gun point at Greenbrier Mall: 9/23/1992, 9/23/1992, 9/25/1992). Recommendation: Restore Parole Eligibility.
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Three Strikes Parole Ineligibility Review: No prior record **not a liberty offenses** (sic), 2 sentencing events – Norfolk (armed robberies of 5 different stores - 9/8/1992, 9/17/1992, 9/21/1992, 3 hours later 9/21,1992, 9/25/1992) and Chesapeake (robbed people at gun point at Greenbrier Mall: 9/23/1992, 9/23/1992, 9/25/1992). Recommendation: Restore Parole Eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Miles’ offenses, she did so incorrectly. Chair Bennett erroneously concluded that Miles was “not at liberty between offenses” despite VPB records showing that Miles was free between each of his eight armed robberies.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

42. Julius Clark

Convicted of 4 robberies (separate offenses, including 1 armed bank robbery) and 2 companion counts of use of a firearm in Hanover, Fredericksburg, and Chesterfield in 1992 and 1993. Subsequent conviction for possession of a weapon by an inmate in Southampton in 1994. Total sentence of life plus 74 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in August 2019. Eligibility restoration theory:

Adrianne Bennett	09/05/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree occurring over a two day period - 8/19/1992 and 8/20/1992. Three separate robberies with only two having companion use of firearm convictions. No prior or subsequent predicate offense. Not at liberty between offense. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree occurring over a two day period - 8/19/1992 and 8/20/1992. Three separate robberies with

only two having companion use of firearm convictions. No prior or subsequent predicate offense. **Not at liberty between offense.** RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Clark’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Clark was “not at liberty between offenses” despite VPB records showing that Clark was free between each of his four armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

43. Keith Fleming

Convicted of 5 robberies (3 at the same location, but on different dates and against different victims) and 4 companion counts of use of a firearm in Chesterfield and Henrico in 1988. Sentenced to 79 years. Deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in August 2019. VPB records contain no indication of the rationale behind reversing Fleming’s parole ineligibility, but note that the reversal occurred in January 2018.

VIOLATIONS OF LAW AND POLICY:

No violations found.

44. Keith Godwin

Convicted of rape, 5 robberies (different dates/locations/victims), and 5 companion counts of use of a firearm in Portsmouth, Chesapeake, and Suffolk between 1984–86. Sentenced to 76 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in August 2019. Eligibility restoration theory:

Adrianne Bennett	05/01/2018	Parole Board Note	Three strike ineligibility review. This offender is not a recidivist and there were not any interruptions of the offender's liberty between offenses. This offender is highly respected at Deerfield Correctional Center and serves as an elder in the Re-Entry program. His co-defendant, Leonard Outlaw, was granted parole in April 2018 after his parole ineligibility restored. Leonard Outlaw did not have a rape, but had a much lengthier sentence than this offender. Outlaw's MPRD was in 2044.
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Three strike ineligibility review: This offender is not a recidivist and **there were not any interruptions of the offender's liberty between offenses.** This offender is highly respected at Deerfield Correctional Center and serves as an elder in the Re-Entry program. His co-defendant, Leonard Outlaw, was granted parole in April 2018 after his parole ineligibility restored. Leonard Outlaw did not have a rape, but had a much lengthier sentence than this offender. Outlaw's MPRD was in 2044.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Godwin’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Godwin was “not at liberty between offenses” despite VPB records showing that Godwin was free between his rape and 5 armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

45. Keith Heineman

Convicted of 8 robberies (different dates/victims/locations), 8 counts of use of a firearm, 2 attempted robberies, 2 abductions, and escape from custody in Virginia Beach, Newport News, Hampton, Northumberland, and Henrico between 1984–88. Prior convictions for burglary, felonious assault, unauthorized use of a vehicle, and petit larceny. Sentenced to life plus 134 years.

Heineman escaped from a road unit on April 18, 1985 while incarcerated at Haynesville Correctional Center. He was not arrested until a year later, and he committed his robbery spree during the period of his escape. Heineman placed all of his robbery victims at gunpoint, and he fired a shot through one of the victims’ car windows. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in August 2019. Eligibility restoration theory:

Adrianne Bennett	06/25/2018	Parole Board Note	Three Strikes Parole Ineligibility Review: This offender has six qualifying robbery with companion use of firearm convictions (plus three additional robberies without companion firearm convictions). With the exception of one robbery/use of firearm (in Hampton of hitchhikers), all other robberies occurred in Virginia Beach and were of businesses (Dominos Pizza, Pizza Hut, McDonalds, and Captain Georges. Offender was not at liberty between offenses. PSI's Letter from offender in Three Strikes file. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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Three Strikes Parole Ineligibility Review: This offender has six qualifying robbery with companion use of firearm convictions (plus three additional robberies without companion firearm convictions). With the exception of one robbery/use of firearm (in Hampton of hitchhikers), all other robberies occurred in Virginia Beach and were of businesses (Dominos Pizza, Pizza Hut, McDonalds and Captain Georges.

Offender was not at liberty between offenses. PSI's Letter from offender in Three Strikes file. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Heineman’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Heineman was “not at liberty between offenses” despite VPB records showing that Heineman was free between his eight unrelated armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility

without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

46. Keith Speight

Convicted of 2 robberies (different victims/locations) in Virginia Beach and Chesapeake in 1993. Released on discretionary parole. Convicted of 2 robberies in Chesapeake in 1997 (1995/1996 offense dates). Sentenced to 40 years. In 2 robberies, Speight used a knife, and during a third robbery, he passed a note to the store clerk stating, "I have a .38 special in my pocket if you yell or say anything I will blow your head off."

Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in April 2020. Eligibility restoration theory:

Adrianne Bennett	05/21/2018	Parole Board Note	Three Strikes Parole Ineligibility: This offender has two strikes at most: Strike 1: Debatable as he had two robberies in 1992 without any weapons convictions, released on Parole in October 1995. Strike 2: 2 robberies (12/95 & 3/8/1996) with 1 companion use of firearm offense, not at liberty between offenses. Recommendation: Restore Parole Eligibility.
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Three Strikes Parole Ineligibility: This offender has two strikes at most: Strike 1: Debatable as he had two robberies in 1992 without any weapons convictions, released on Parole in October 1995. Strike 2: 2 robberies (12/95 & 3/8/1996) with 1 companion use of firearm offense, **not at liberty between offenses**. Recommendation: Restore Parole Eligibility.

Applying the "at liberty" element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the "at liberty" element to Speight's offenses, she did so incorrectly. Chair Bennett erroneously concluded that Speight was "not at liberty between offenses" despite VPB records showing that Speight was free between each of his four armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

47. Kevin Thornhill

Convicted of 8 robberies and 5 counts of use of a firearm in Chesapeake and Portsmouth in 1994 and 1995. Sentenced to 63 years. Prior convictions for brandishing a firearm, accessory to robbery, hit and run, eluding police, and auto theft. Thornhill admitted to committing his robberies at gunpoint so that he could get money to give his girlfriend "the best Christmas ever."

Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in May 2019. Eligibility restoration theory:

Adrianne Bennett	05/21/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Robbery Spree with companion use of firearm convictions in 1993. Not at liberty between offenses. No prior or subsequent predicate offenses. Recommendation: Restore Parole Eligibility.
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Three Strikes/Parole Ineligibility Review: Robbery Spree with companion use of firearm convictions in 1993. **Not at liberty between offenses.** No prior or subsequent predicate offenses. Recommendation: Restore Parole Eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Thornhill’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Thornhill was “not at liberty between offenses” despite VPB records showing that Thornhill was free between each of his eight armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

48. Larry Johnson

Convicted of rape, 4 robberies, 3 companion counts of use of a firearm, 4 counts of maiming, and burglary in Richmond City in 1990 and 1991. Sentenced to life plus 119 years. Prior convictions for burglary, grand larceny, forgery, and uttering. In one robbery, Johnson approached a woman on W. Grace Street in Richmond, pistol-whipped her in the face, and demanded her money and jewelry. Two separate robberies involved Johnson pistol-whipping male victims after demanding cash. In a separate offense, met a 7-month pregnant woman outside of a church and followed her inside. Johnson then took the woman to the second floor, threw her down, emptied her purse and raped her at knifepoint.

Johnson was correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. In 2014, VPB Chair Karen Brown reviewed and confirmed Johnson’s ineligibility. Johnson’s parole ineligibility was reversed in a 2019 letter signed by Chair Bennett. Granted parole and released in April 2020. Eligibility restoration theory:

Three strikes parole ineligibility review. Recommendation: Restore discretionary parole eligibility status. Strike one offenses: Multiple robberies and weapons (date of offense, 8/25/1990, date of sentence, 3/11/1991) and Rape (date of offense 8/15/1990, date of sentence 8/16/1991.) Offender has been in continuous custody since his arrest on 9/6/1990. No other relevant predicate convictions per VCIN.

VIOLATIONS OF LAW AND POLICY:

No violations found.

49. Larry Newell

Convicted of 5 robberies, 6 abductions, 11 counts of use of a firearm, attempted murder, and possession of a sawed-off shotgun in Newport News and Hampton in 1993. Sentenced to 97 years. During one robbery, Newell fired multiple gunshots at police. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in Nov. 2019. Eligibility restoration theory:

Adrianne Bennett	09/05/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree with companion use of firearm convictions of fast food restaurants in Hampton. Not at liberty between offenses. No prior or subsequent predicate offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree with companion use of firearm convictions of fast food restaurants in Hampton. **Not at liberty between offenses.** No prior or subsequent predicate offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY. (sic)

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Newell’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Newell was “not at liberty between offenses” despite VPB records showing that Newell was free between each of his five armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

50. Lawrence Alexander

Convicted of 4 robberies, 3 companion counts of use of a firearm, malicious wounding, and conspiracy in Fairfax and Arlington in 1992. Convicted of unlawful wounding by an inmate in Southampton in 1994. Total sentence of 45 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in May 2019. Eligibility restoration theory:

Adrianne Bennett	05/21/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: One spree of robberies with companion use of firearm convictions from 10/27/1991 to 1/30/1991. Not at liberty between offenses. No prior or subsequent record of predicate offenses. Recommendation: Restore Parole Eligibility.
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Three Strikes/Parole Ineligibility Review: One spree of robberies with companion use of firearm convictions from 10/27/1991 to 1/30/1991. **Not at liberty between offenses.** No prior or subsequent record of predicate offenses. Recommendation: Restore Parole Eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated

in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Alexander’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Alexander was “not at liberty between offenses” despite VPB records showing that Alexander was free between each of his four armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

51. Leon Cheatham

Convicted of 4 robberies, 5 companion counts of use of a firearm, and malicious wounding in Norfolk in 1986. Sentenced to 58 years. Prior convictions for burglary, attempted burglary, grand larceny of an automobile, assault, receiving stolen property, disorderly conduct, trespassing, and urinating in public. Subsequent convictions for assault and battery by an inmate (1988) and possession of marijuana by an inmate (2004) in Brunswick.

Cheatham and two co-defendants robbed the same service station at gunpoint on two different occasions. Cheatham and co-defendants also robbed two different women of their purses at gunpoint at a bus stop. Cheatham and co-defendants also robbed and pistol-whipped the manager of a car dealership. During a final attempted robbery, Cheatham and co-defendants shot the victim.

Cheatham was correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility was reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in May 2019. VPB records contain no indication of the rationale behind reversing Cheatham’s parole ineligibility, but note that the reversal of ineligibility occurred in April 2018.

VIOLATIONS OF LAW AND POLICY:

No violations found.

52. Leonard Outlaw

Convicted of 7 robberies (6 different dates), 6 companion counts of use of a firearm, and grand larceny in Chesapeake, Portsmouth, Suffolk, and Virginia Beach in 1985. Sentenced to 99 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in October 2018. Eligibility restoration theory:

Three Strikes Review: 7 robberies with companion firearm convictions. Offense occurred between July 22, 1984 and September 4, 1984. No other convictions listed in VCIN Report. Three of the robbery/ufa counts occurred in VB (plea agreement stated they were to be counted as a common act...) with other convictions occurring in Chesapeake and Suffolk.

No violations found.

Convicted of 8 robberies (8 different victims and locations), 3 companion counts of entering a bank or church while armed, 4 companion counts of use of a firearm, and brandishing a firearm in Spotsylvania, Stafford, and Fredericksburg in 1987. Sentenced to 229 years. Stewart said that “some of the crimes I barely remember because I was so high...I could not stop.” Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in February 2019. Eligibility restoration theory:

THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree with companion use of firearm convictions in three jurisdictions with all offenses occurring in December 1987 and January 1988. **Not at liberty between offenses.** No prior or subsequent predicate offenses. (Note: currently in waiting for certification on a geriatric conditional release grant). RECOMMENDSTION: (sic) RESTORE DISCRETIONARY PAROLE ELIGIBILITY. (sic)

VIOLATIONS OF LAW AND POLICY:

- ## 54. Marvin Vaughan⁸

Three Strikes Review: All offenses occurred in an approximate one month period

of time between February 12, 1986 and March 15, 1986, beginning about two weeks after his 18th birthday. Robberies were primarily of Pizza Huts in Virginia Beach, Chesapeake, Norfolk and Hampton. **There were no legal interruptions between offenses.** The offender had no prior record per VCIN and PSIs.

Chair Bennett unlawfully applied the “at liberty” element to Marvin Vaughan’s offenses for the reasons stated in Section V of this report by inappropriately considering whether there were “legal interruptions” between Vaughan’s robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

55. Michael Green

Convicted of 8 robberies (different dates/victims/locations) and 7 companion counts of use of a firearm in Newport News and Hampton in 1983–84. Sentenced to 74 years. Prior convictions for abduction and unlawfully discharging a firearm in Newport News in 1976. Prior convictions for forcible sodomy and escape from custody in 1978. Subsequent conviction for assault and possession of a weapon by an inmate in Buckingham in 1986. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in May 2021. Eligibility restoration theory:

Adrianne Bennett	09/07/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree with companion weapons offenses from 5/22/1984 to 7/14/1984. Not at liberty between offenses. No prior or subsequent conviction of predicate offenses. Recommendation: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree with companion weapons offenses from 5/22/1984 to 7/14/1984. **Not at liberty between offenses.** No prior or subsequent conviction of predicate offenses. Recommendation: RESTORE PAROLE ELIGIBILITY.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Green’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Green was “not at liberty between offenses” despite VPB records showing that Green was free between each of his eight armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

56. Michael Liverman

Convicted of 10 robberies, 10 companion counts of use of a firearm, and malicious wounding in Norfolk, Portsmouth, and Virginia Beach in 1989. Sentenced to 146 years. Prior convictions for aggravated sexual battery (reduced from rape) and misdemeanor sexual battery (reduced from carnal knowledge of a child). Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in May 2020. Eligibility restoration theory:

Adrianne Bennett	07/06/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: No prior or subsequent predicate offenses. One robbery spree with 7 sets of robberies with companion firearms offenses between 1/2/1988 and 3/15/1988. Not at liberty between offenses. RECOMMENDATION: Restore Parole Eligibility. (note for parole purposes only 9/12/1984 Rape reduced to Aggravated Sexual Battery and 7/26/1985 Aggravated Sexual Battery reduced to misdemeanor sexual battery.
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Three Strikes/Parole Ineligibility Review: No prior or subsequent predicate offenses. One robbery spree with 7 sets of robberies with companion firearms offenses between 1/2/1988 and 3/15/1988. **Not at liberty between offenses.** RECOMMENDATION: Restore Parole Eligibility. (note for parole purposes only 9/12/1984 Rape reduced to Aggravated Sexual Battery and 7/26/1985 Aggravated Sexual Battery reduced to misdemeanor sexual battery.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Liverman’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Liverman was “not at liberty between offenses” despite VPB records showing that Liverman was free between each of his 10 armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

57. Michael Palmer

Convicted of 6 robberies (different dates/locations/victims), 3 counts of use of a firearm, and abduction in Norfolk, Virginia Beach, and Hampton from 1990–92. Sentenced to 43 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Released on parole in April 2020.

VIOLATIONS OF LAW AND POLICY:

No violations found.

58. Milton Mack

Convicted of 9 robberies and 5 companion counts of use of a firearm in Chesapeake and Portsmouth in 1988 and 1989. Sentenced to 48 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in September 2019. Eligibility restoration theory:

Adrienne Bennett	07/26/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: This subject committed a robbery spree from 11/13/1987 to 2/16/1988 consisting of 5 separate robberies with companion firearm convictions and four additional robberies without companion firearm convictions. He was not at liberty between offenses. He has no prior or subsequent predicate offenses. Offender was released on mandatory July 10, 2010 and was arrested on a violation 11/19/2015. The Chesapeake CCT also violated him (he was on dual supervision) and suspended 35 years and placed him back on supervision. The Parole Board (despite reports of overall positive adjustment during his 5 years of supervision) violated him resulting in 23 years of time falling back on him with no opportunity for release due to him being a three strikes offender. The Parole Examiner had recommended he be continued on supervision as well. The basis for the violations (parole and probation) were new misdemeanor convictions (1. Speeding 75/55 2. Misdemeanor unauthorized use of a vehicle (x2) 3. Driving on a suspended license 4. Possession of THC. He served a total active term of 40 days on the misdemeanors. RECOMMNATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: This subject committed a robbery spree from 11/13/1987 to 2/16/1988 consisting of 5 separate robberies with companion firearm convictions and four additional robberies without companion firearm convictions. **He was not at liberty between offenses.** He has no prior or subsequent predicate offenses. Offender was released on mandatory July 10, 2010 and was arrested on a violation 11/19/2015. The Chesapeake CCT also violated him (he was on dual supervision) and suspended 35 years and placed him back on supervision. The Parole Board (despite reports of overall positive adjustment during his 5 years of supervision) violated him resulting in 23 years of time falling back on him with no opportunity for release due to him being a three strikes offender. The Parole Examiner had recommended he be continued on supervision as well. The basis for the violations (parole and probation) were new misdemeanor convictions (1. Speeding 75/55 2. Misdemeanor unauthorized use of a vehicle (x2) 3. Driving on a suspended license 4. Possession of THC. He served a total active term of 40 days on the misdemeanors. RECOMMNATION: RESTORE PAROLE ELIGIBILITY.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Mack’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Mack was “not at liberty between offenses” despite VPB records showing that Mack was free between each of his 9 armed robberies.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

59. Pernell Redwine

Convicted of 3 robberies in Petersburg in 1977 in which he “approached [3 people at a Waffle House] with a .38 pistol and demanded [] money.” Sentenced to 5 years. Convicted of

malicious wounding by an inmate in 1980. Released on discretionary parole in 1983. In 1987, Redwine was convicted of 7 robberies, 6 companion counts of use of a firearm, arson, entering a bank while armed, and escape from custody in Petersburg, Richmond City, Chesterfield, and Prince George. Total sentence of 130 years. Prior convictions for 6 burglaries, disorderly conduct, assault with a deadly weapon, escape from custody, trespassing, 3 counts of destruction of property, possession of burglarious tools, and robbery by force. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2019 in a letter signed by Chair Bennett. Granted parole and released in May 2020. Eligibility restoration theory:

Recommendation: Restore discretionary parole eligibility. Pernell has lots of convictions, but no indication of use of weapon/firearm for 1977 convictions or 1980 malicious wounding. So that makes Strike 1 the offenses that took place in 1984 and 1987 – for which Redwine was sentenced in 1987. He has been in continuous custody since, so no Strike 2. 4/28/1977: Multiple robberies, date of judgment – 4/28 and 5/10/77 (no indication of weapon); 4/19/80: Mal Wounding, date of judgment – 9/3/80 (no indication of weapon); (Released on parole on 12/23/83); Strike 1: 2/2/87: robbery, UFA, Armed Robbery, Arson, Escape, date of judgment – 7/16/87; 1/5/87: Robbery, UFA, date of judgment - 10/6/87; 1/2/87: Robbery, UFA, Robbery, UFA, date of judgment – 10/7/87; 2/22/84: Robbery, UFA – 10/20/87

Following his release in 2020, Redwine was arrested in Henrico County for obstruction of justice and possession of a Schedule I/II controlled substance with intent to distribute in November 2021. Redwine's jury trial is pending in February 2023.

VIOLATIONS OF LAW AND POLICY:

No violations found.

60. Ricardo Jones

Convicted in 1979 in federal court of armed bank robbery. Convicted of bank robberies in federal court again in 1980 and 1981. Released on parole in 1983. Convicted of 10 Virginia robberies, 9 companion counts of use of a firearm, and 3 counts of entering a bank while armed, all in Arlington in 1985. Sentenced to 217 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in Dec. 2019. Eligibility restoration theory:

Adrianne Bennett	07/06/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Strike 1:Two federal bank robberies 1/8/1979 and 6/11/1979 -sentenced under the Youthful offender act and on mandatory parole at the time of these offenses. Nothing to indicate he was at liberty between offenses. Strike 2:Present Offenses: This offender a series of robberies &w/companion weapons offenses &over a 3 day period of time from November 7, 1984 to November 23, 1984(at least three dates of offenses). &Not at liberty between offenses. &RECOMMEDATION: Restore Parole Eligibility as this offender has only "2 Strikes".
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Three Strikes/Parole Ineligibility Review: Strike 1: Two federal bank robberies 1/8/1979 and 6/11/1979 -sentenced under the Youthful offender act and on mandatory parole at the time of these offenses. Nothing to indicate he was at liberty between offenses. Strike 2: Present Offenses: This offender a series of robberies w/companion weapons offenses over a 3 day period of time from November 7, 1984 to November 23, 1984 (at least three dates of offenses). **Not at liberty between offenses.** RECOMMEDATION: Restore Parole Eligibility as this offender has only

“2 Strikes.”

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Jones’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Jones was “not at liberty between offenses” despite VPB records showing that Jones was free between each of his 10 Virginia armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

61. Robert Locke

Convicted of 4 robberies, 3 counts of use of a firearm, and bank robbery in Chesterfield, Fredericksburg, Hanover, and Fairfax in 1992–93. Sentenced to 119 years. Prior federal convictions for cocaine distribution and possession of a firearm by a convicted felon; was on federal probation during his Virginia robberies. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in June 2020. VPB records contain no indication of the rationale for reversing Locke’s parole ineligibility.

VIOLATIONS OF LAW AND POLICY:

No violations found.

62. Robert Ogle

Convicted of 7 robberies, 2 attempted robberies, 10 companion counts of use of a firearm, escape, and aiding prisoner escape in Suffolk, Amherst, Newport News, Hopewell, Petersburg, York, Colonial Heights, and Waynesboro between 1982–84. Sentenced to 183 years. Convicted under the name John Howard Carter in Tennessee in 1973 of crimes against nature (the Virginia equivalent of forcible sodomy or bestiality), robbery, and 4 counts of armed robbery with a deadly weapon (2 different offense dates). Ogle was correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility was reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in January 2020. Eligibility restoration theory:

Adrianne Bennett	09/07/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Strike I: (possible) VCIN indicates multiple armed robbery spree - out of state in the mid-1970's. Number of convictions and whether at liberty cannot be ascertained with certainty. One PSI in 3 strikes file does not provide a history. STRIKE II: Robbery spree with w/companion weapons offenses occurring in 7 jurisdictions. Not at liberty between offense. Per VCIN may have been an escaped fugitive at the time of the offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Strike I: (possible) VCIN indicates multiple armed robbery spree - out of state in the mid-1970’s. Number of convictions and whether at liberty cannot be ascertained with certainty.⁹ One PSI in 3 strikes file does not provide a history. STRIKE II: Robbery spree with

w/companion weapons offenses occurring in 7 jurisdictions. **Not at liberty between offense.** Per VCIN may have been an escaped fugitive at the time of the offenses. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Ogle’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Ogle was “not at liberty between offenses” despite VPB records showing that Ogle was free between each of his seven Virginia armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

63. Robert Trussell

Convicted of 5 robberies (different victims/locations) and 5 counts of use of a firearm in Montgomery, Botetourt, and Roanoke in 1982–83. Sentenced to 70 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Released on parole in Feb. 2021. Eligibility restoration theory:

Adrianne Bennett	05/16/2018	Parole Board Note	Three Strikes Parole Ineligibility Review: Robbery spree from 6/20/1982 to 8/10/1982 where the offender was not at liberty between offenses. There are no prior or subsequent predicate offense convictions. Offender claims his co-defendant (Constance Joan Jordan) was convicted of same offenses but was not determined to be a three striker. Recommendation: Restore discretionary parole eligibility.
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Three Strikes Parole Ineligibility Review: Robbery spree from 6/20/1982 to 8/10/1982 where **the offender was not at liberty between offenses.** There are no prior or subsequent predicate offense convictions. Offender claims his co-defendant (Constance Joan Jordan) was convicted of same offenses but was not determined to be a three striker. Recommendation: Restore discretionary parole eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Trussell’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Trussell was “not at liberty between offenses” despite VPB records showing that Trussell was free between each of his five armed robberies.

VIOLATIONS OF LAW AND POLICY:

(1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.

(2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.

(3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-

151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

64. Rowlander Winston

Convicted of 3 robberies (different dates/victims) and 3 counts of use of a firearm in Richmond City in 1984. Sentenced to 71 years. Winston had one prior conviction for robbery. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in February 2021. Eligibility restoration theory:

Adrianne Bennett	05/22/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Robbery and Use of Firearm Spree 3/20/1993, 5/6/1993, 5/23/1993 at a Hardees, Safeway and Long John Silvers. Not at liberty between offense. No prior or subsequent record of predicate offense (or any offense for that matter). Recommendation: Restore Parole Eligibility.
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Three Strikes/Parole Ineligibility Review: Robbery and Use of Firearm Spree 3/20/1993, 5/6/1993, 5/23/1993 at a Hardees, Safeway and Long John Silvers. **Not at liberty between offense.** No prior or subsequent record of predicate offense (or any offense for that matter). Recommendation: Restore Parole Eligibility.

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Winston’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Winston was “not at liberty between offenses” despite VPB records showing that Winston was free between each of his armed robberies.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

65. Sabastian Haskins

Convicted of rape, forcible sodomy, abduction, 7 robberies (4 different dates/locations), and 7 counts of use of a firearm in Norfolk and Virginia Beach in 1989. Sentenced to 189 years. Haskins and two fellow gang members abducted a woman, forced her into their car at gunpoint, took turns forcing the victim to perform fellatio and raping her, and robbed her of \$700.

Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in April 2020. Eligibility restoration theory:

Three strikes disc. parole ineligibility review. Recommendation: Restore disc. parole eligibility. Strike 1: Haskins committed multiple robberies with weapons in Norfolk and Virginia Beach during a 15 day period in November, 11/2/1988 through 11/15/1988. He also committed a Rape in Va Beach on 11/15/1988. He was sentenced for all Strike 1 offenses on 9/13/1989. No other relevant predicate offenses per VCIN. Def. has been in continuous custody since his arrest on his

Strike 1 offenses.

VIOLATIONS OF LAW AND POLICY:

No violations found.

66. Samuel Walker

Convicted of 3 robberies in 1978 in Hopewell and Chesterfield. Released on discretionary parole in 1982. Convicted of 7 robberies (6 different dates/victims/locations), 7 companion counts of use of a firearm, and abduction in Hopewell in 1983. Convicted of possession of a firearm inside Petersburg City Jail in 1983. Total sentence of 80 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in February 2019. VPB records contain no indication of the rationale behind reversing Walker's parole ineligibility.

VIOLATIONS OF LAW AND POLICY:

No violations found.

67. Star Murphy

Convicted of 4 robberies, 2 counts of use of a firearm, burglary, 7 forgeries, 7 counts of uttering a forgery, possession of cocaine, and grand larceny in Virginia Beach between 1993–95. Sentenced to 72 years. Murphy committed two robberies at gunpoint and implied to the victims in two other robberies that he had a gun. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility was reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in January 2020. Eligibility restoration theory:

Adrianne Bennett	08/08/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Strike I – Robbery and use of firearm conviction in 1993. Released onto Mandatory Parole August 16, 1993; Strike II – Robbery Spree with offense dates of 10/26/1993, 9/11/1993 and 9/12/1993 without companion firearm convictions and not at liberty between offenses. No other prior or subsequent convictions of predicate offenses. RECOMMENATION: RESTORE PAROLE ELIGIBIITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Strike I – Robbery and use of firearm conviction in 1993. Released onto Mandatory Parole August 16, 1993; Strike II – Robbery Spree with offense dates of 10/26/1993, 9/11/1993 and 9/12/1993 without companion firearm convictions and **not at liberty between offenses**. No other prior or subsequent convictions of predicate offenses. RECOMMENATION: (sic) RESTORE PAROLE ELIGIBIITY. (sic)

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Murphy's offenses, she did so incorrectly. Chair Bennett erroneously concluded that Murphy was “not at liberty between offenses” despite VPB records showing that Murphy was free between each of his armed robberies.

After Chair Bennett reversed his parole ineligibility and VPB granted him discretionary parole, Star Murphy was arrested in Stafford County in February 2022 for eluding police, hit & run, possession of a schedule I/II controlled substance, possession of a schedule I/II controlled substance with intent to distribute, obstruction of justice, and assault. In Oct. 2022, Murphy pled guilty to sale of a schedule I/II controlled substance for profit, felony eluding police, and felony hit & run. Murphy was sentenced to 20 years with 16 years and 3 months suspended.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

68. Tracy Frazier

Convicted of 4 robberies (3 different dates/locations/victims), 4 counts of use of a firearm, and abduction in Fairfax County, Alexandria, and Arlington in 1987–88. Sentenced to 67 years. Prior conviction for possession of an explosive/incendiary device. Institutional infractions for multiple counts of setting fires, assaults on inmates and staff, indecent exposure, and making sexual advances toward correctional staff. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in January 2020. Eligibility restoration theory:

Adrianne Bennett	05/21/2018	Parole Board Note	Three Strikes/Parole Ineligibility Review: Robbery Spree 2/28/1987, 4/1/1987, 10/13/1987; not at liberty between offenses; no prior or subsequent convictions of predicate offenses. RECOMMENDATION: Restore Parole Eligibility.
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Three Strikes/Parole Ineligibility Review: Robbery Spree 2/28/1987, 4/1/1987, 10/13/1987; **not at liberty between offenses**; no prior or subsequent convictions of predicate offenses. RECOMMENDATION: Restore Parole Eligibility. []¹⁰

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Frazier's offenses, she did so incorrectly. Chair Bennett erroneously concluded that Frazier was “not at liberty between offenses” despite VPB records showing that Frazier was free between each of his four armed robberies.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender's parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett's creation that contained a prohibited element.

69. Tyrone Wyche

Convicted of 11 robberies, 4 attempted robberies, 1 count of use of a firearm, and abduction in Fairfax, Alexandria, Prince William, and Arlington in 1991. Sentenced to 67 years. Prior convictions for 4 robberies in Fairfax County, Alexandria, and Fredericksburg in 1976. Prior convictions for 2 robberies in Arlington in 1979. During 9 robberies in 1991, Wyche threatened customers at different stores with his hand in his pocket on what the victims believed to be a gun.

Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in January 2020. Eligibility restoration theory:

Three strikes parole eligibility review. Recommendation: Restore parole eligibility. Strike 1: There was never a strike one until 8/10/1990 (Robbery/Weapon), date of sentence, July 18-30/1991. (Def has 6 robberies for date of offense 5/5/76, released on parole, then another slew of robberies with multiple date of offenses in the year 1990, sentenced between 3/8/1991-7/18/1991. Only one robbery with weapon. No other relevant predicate VCIN offenses.

VIOLATIONS OF LAW AND POLICY:

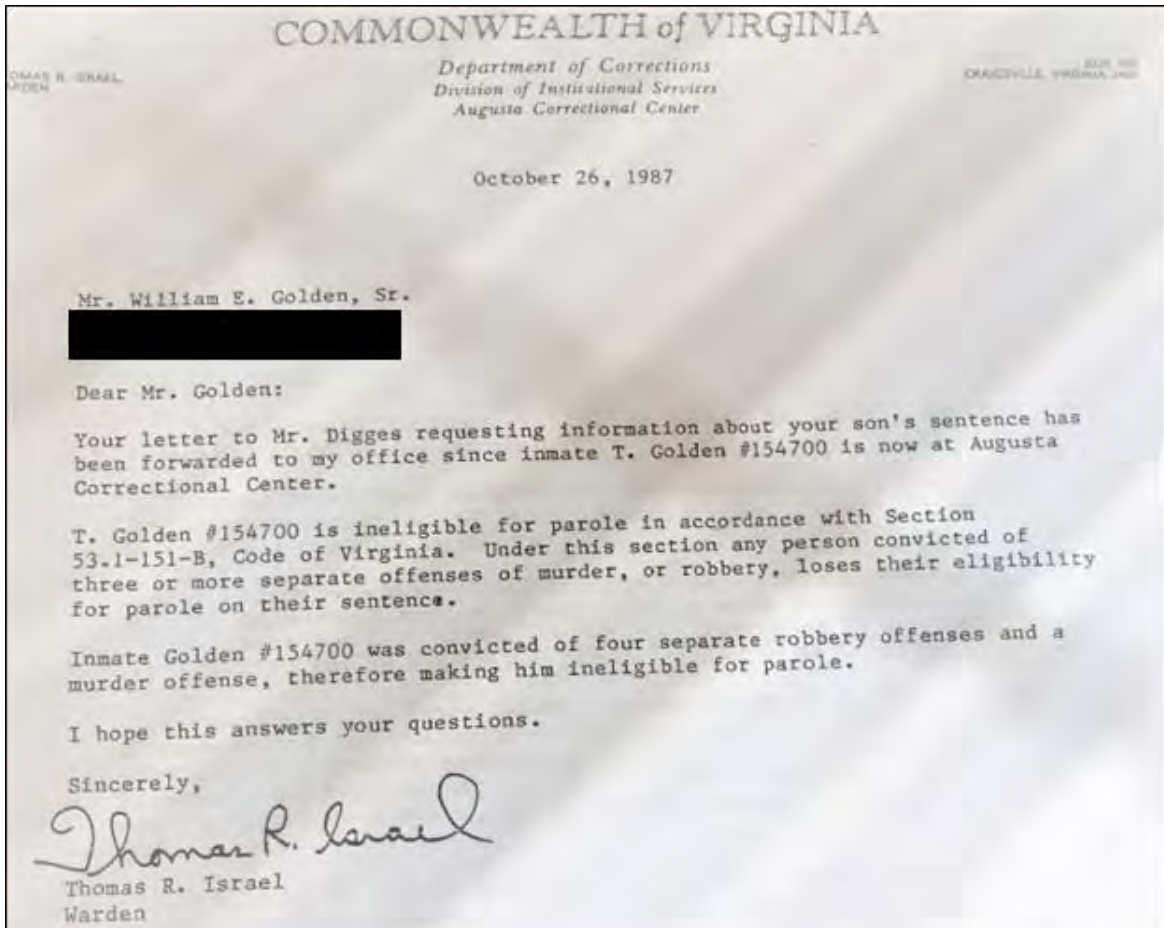
No violations found.

70. Tyson Golden

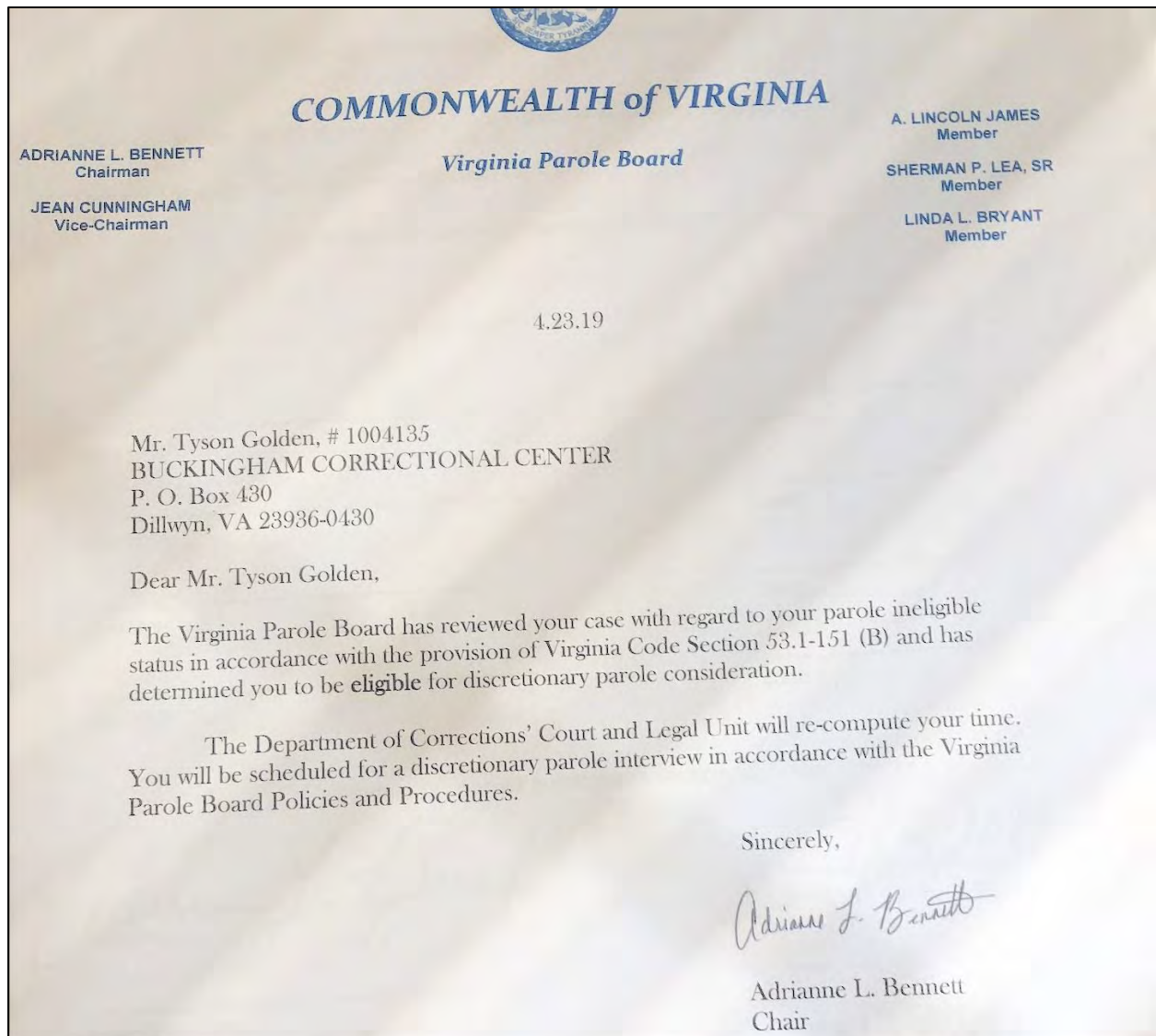
Convicted of first-degree murder, 4 robberies (3 different home invasions), 4 malicious woundings, 6 companion counts of use of a firearm, abduction, and burglary in Roanoke City in 1987. Sentenced to 3 life terms plus 118 years. Golden and co-defendants beat a 91-year-old man to death and severely wounded his 87-year-old wife. In another home invasion, Golden and co-defendants beat a female victim in the face before taking money and forcing her into the closet. In a different home invasion, Golden and co-defendants tied up two victims and beat them in the head while demanding money, gold, and silver. The men then forced the female victim onto the bed and fired a shot over her head. The men ransacked the apartment and left the scene.

Golden's father was correctly informed by the warden of Augusta Correctional Center in 1987 that Golden was ineligible for discretionary parole:

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Golden appealed VADOC's determination that he was ineligible for discretionary parole in 1999; in a November 22, 1999 letter from VPB Chairman James L. Jenkins, Golden was informed that "[t]he Virginia Parole Board has reviewed your appeal of Parole Ineligibility in accordance with the provisions of Section 53.1-151(B1) and determined you to be ineligible for parole as determined by the Department of Corrections." Golden appealed his ineligibility two more times in 2017; ineligibility was reversed in 2019 in a letter signed by Chair Bennett:



Golden was granted parole and released in April 2020. VPB recommended restoring Golden's discretionary parole eligibility under the following theory:

Recommendation: Restore disc. parole eligibility status. Strike one: Crime spree, Robbery/Weapons, took place on 12/12/1986, 12/13/1986, and 12/16/1986. Golden was 22 at time of the offense. Judge changed jury sentence of three life terms to run concurrent (instead of consecutive) to be more consistent with the sentence of the two 18 year olds. Newspaper accounts quote defense attorney at the time, who was explaining why judge might have changed sentence to Golden's benefit, as saying that Golden talked co-defendants into not killing at least one of victims and did not hit anyone in final robbery/killing (of 91 year old man). ALB's notes from 2/25/2017 reflect one of co-defendants (Angelo Day #1108121) was released on parole. Checked other co-defendant Timothy White on 3/27/2019 (#1127211) – he is deceased. There are no other relevant predicates per VCIN.

VIOLATIONS OF LAW AND POLICY:

No violations found.

71. Valitana Butler

Convicted of 5 robberies (one armed) in Hanover, Henrico, and Richmond City in 1973 and 1974. Released on discretionary parole. Convicted of 4 counts of attempted capital murder, 2 armed bank robberies, and 6 companion counts of use of a firearm in Richmond City in 1986. Total sentence of 270 years. Prior conviction for auto theft.

During one robbery in Henrico, Butler struck one of the female victims with a handgun, threatening to shoot and kill store employees if they did not give up the money. Butler then forced an employee to open the safe at gunpoint and said he would blow their brains out if it was a trick.

During a separate robbery in Hanover, which Butler told the parole examiner was a “basic” robbery, Butler and a co-defendant asked a man for a ride. As they drove, Butler’s co-defendant pointed a gun at the driver, and the men stole his watch, wallet, and cash. Butler and the co-defendant then tied the man to a tree with his jumper cables, gagged him, and stole his car.

During one armed bank robbery, Butler and co-defendants took the service weapon from an off-duty police officer working as security and forced him to the floor. After the men took money, they fired at the officer. Butler and co-defendants then got in a vehicle and fled, continuing to fire at pursuing police officers. At one point, the getaway car stopped and Butler got out of the car and pointed his handgun at one of the police officers. He was taken into custody thereafter.

Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. In February 2018, Chair Bennett noted in Butler’s file that Butler was a “true recidivist”:

Adrianne Bennett	02/14/2018	Parole Board Note	The 2017 PE Report was written without the benefit of the PSI for the 1986 robberies and attempted murders of multiple police officers. There are a lot of victims, many of whom are police officers. This offender is a true recidivist, having committed very serious robberies (two separate offenses) prior to being released from prison and committing this very violent bank robbery that culminated in a shoot out with the police. He reports an out of state home plan, but there has never been input from family. His institutional behavior has only become stabilized in recent years as evidenced by his step-down from Sussex II to BKCC. Concern for public safety given history of violence and lack of community support.
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The 2017 PE Report was written without the benefit of the PSI for the 1986 robberies and attempted murders of multiple police officers. There are a lot of victims, many of whom are police officers. This offender is a true recidivist, having committed very serious robberies (two separate offenses) prior to being released from prison and committing this very violent bank robbery that culminated in a shoot out with the police. He reports an out of state home plan, but there has never been input from family. His institutional behavior has only become stabilized in recent years as evidenced by his step-down from Sussex II to BKCC. Concern for public safety given history of violence and lack of community support.

Despite noting that Butler was a “true recidivist” and recounting three prior unrelated armed robbery convictions, Chair Bennett restored Butler’s discretionary parole eligibility in a signed letter in 2018. Butler was released on parole in April 2020. Eligibility restoration theory:

Adrianne Bennett	07/26/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: The offender was convicted of a series of robberies without companion weapons offenses in 1973/1974 constituting a spree and not having been at liberty between offenses. He was released on parole in 1984 and then in 1986 committed a bank robbery with a co-defendants resulting in multiple robbery convictions with companion weapons convictions from the same robbery. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELGIBITY (sic) REVIEW: The offender was convicted of a series of robberies without companion weapons offenses in 1973/1974 constituting a spree and **not having been at liberty between offenses**. He was released on parole in 1984 and then in 1986 committed a bank robbery with a co-defendants (sic) resulting in multiple robbery convictions with companion weapons convictions from the same robbery. RECOMMENDATION: RESTORE PAROLE ELGIBILITY

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Butler’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Butler was “not at liberty between offenses” despite VPB records showing that Butler was free between his unrelated armed robberies.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

72. Vertron Howard

Convicted of 7 robberies, attempted robbery, and 8 companion counts of use of a firearm in Hampton in 1994. Sentenced to 78 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in 2018 in a letter signed by Chair Bennett. Released on parole in August 2020. Eligibility restoration theory:

Three Strikes Review: 7 robberies with companion gun convictions and different offense dates occurring between 5/9/1994 and 6/3/1994. All offenses occurred in Hampton resulting in once sentencing event. Donta Thorton (IMR#224086) per court and legal file was subjects co-defendant but is not on three strikes list provided by DOC.

VIOLATIONS OF LAW AND POLICY:

No violations found.

73. Victor Allen

Convicted of 4 robberies and 3 companion counts of use of a firearm in Arlington, Fairfax, and Alexandria in 1986–87. Sentenced to life plus 7 years. Prior convictions for malicious wounding and sexual battery. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in August 2019. Eligibility restoration theory:

Adrianne Bennett	09/08/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree in 1986 (teenager) consisting of 4 robberies in 3 jurisdictions, with the three of the robberies having a companion weapons convictions. Many other NP chargers per VCIN. Not at liberty between offenses. No prior or subsequent predicate offense convictions. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Robbery spree in 1986 (teenager) consisting of 4 robberies in 3 jurisdictions, with the three of the robberies having a companion weapons convictions. (sic) Many other NP chargers (sic) per VCIN. **Not at liberty between offenses.** No prior or subsequent predicate offense convictions. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY. (sic)

Applying the “at liberty” element under § 53.1-151(B1) is unlawful for the reasons stated in Section V of this report. However, even if Chair Bennett could have lawfully applied the “at liberty” element to Allen’s offenses, she did so incorrectly. Chair Bennett erroneously concluded that Allen was “not at liberty between offenses” despite VPB records showing that Allen was free between each of his armed robberies.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

74. Walter Taylor

Convicted of 7 robberies and 8 companion counts of use of a firearm in Henrico and Richmond City in 1984. Sentenced to 105 years. Correctly deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility was reversed in 2018 in a letter signed by Chair Bennett. Granted parole and released in August 2019. Eligibility restoration theory:

Adrianne Bennett	07/30/2018	Parole Board Note	THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Bank robbery spree from 11/25/1983 to 11/30/1983. 7 Robberies w/companion use of firearm convictions. He was interviewed for parole six times prior to being declared discretionary parole ineligible in 2005. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY.
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THREE STRIKES/PAROLE INELIGIBILITY REVIEW: Bank robbery spree from 11/25/1983 to 11/30/1983. 7 Robberies w/companion use of firearm convictions. He was interviewed for parole six times prior to being declared discretionary parole ineligible in 2005. RECOMMENDATION: RESTORE PAROLE ELIGIBILITY. (sic)

VIOLATIONS OF LAW AND POLICY:

No violations found.

75. William Askew

Convicted of 5 robberies and 2 companion counts of use of a firearm in Norfolk and Virginia Beach in 1988. Sentenced to 66 years. Deemed ineligible for discretionary parole under § 53.1-151(B1) by VADOC. Ineligibility reversed in a 2018 letter signed by Chair Bennett. Granted parole and released in March 2019. Eligibility restoration theory:

Adrienne Bennett	01/29/2018	Parole Board Note	Three Strikes Review: Consists of four robberies between September 2, 1982 and September 23, 1982. Only two of the robberies include use of a weapon conviction. There were no legal interruptions between offense. The offender was reviewed 3 times for parole release prior to his three strikes determination in 2002. He was 18 at the time of the offenses.
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Three Strikes Review: Consists of four robberies between September 2, 1982 and September 23, 1982. Only two of the robberies include use of a weapon conviction. **There were no legal interruptions between offense.** The offender was reviewed 3 times for parole release prior to his three strikes determination in 2002. He was 18 at the time of the offenses.

Chair Bennett unlawfully applied the “at liberty” element to William Askew’s offenses for the reasons stated in Section V of this report when she considered whether there were “legal interruptions” between Askew’s offenses.

VIOLATIONS OF LAW AND POLICY:

- (1) Va. Code § 53.1-136(1) by implementing a policy regarding parole eligibility without the approval of the Governor or having published and posted the policy.
- (2) Va. Code § 53.1-151(B1) by reviewing an offender’s parole ineligibility under a new policy without having promulgated a regulation detailing the new policy.
- (3) Article I, Section 7 of the Virginia Constitution by suspending existing § 53.1-151(B1) in favor of a version of Chair Bennett’s creation that contained a prohibited element.

Statistics for Offenders Unlawfully Restored to Discretionary Parole Eligibility and Subsequently Released

A. Parole-Released Inmates with Disqualifying Murder, Rape, or Armed Robbery Convictions by Jurisdiction of Conviction¹¹

Alexandria	8	Portsmouth	10
Amherst	1	Powhatan	1
Arlington	8	Prince George	3
Augusta	1	Prince William	5
Botetourt	2	Pulaski	1
Charlottesville	1	Richmond City	15
Chesapeake	7	Roanoke City	3
Chesterfield	14	Roanoke County	1
Colonial Heights	2	Rockbridge	1
Fairfax County	10	Rockingham	1
Fredericksburg	4	Smyth	1
Hampton	14	Spotsylvania	1
Hanover	5	Stafford	1
Henrico	8	Staunton	1
Hopewell	3	Suffolk	6
Montgomery	2	Virginia Beach	16
Newport News	13	Waynesboro	1
Norfolk	16	Williamsburg	2
Northumberland	1	Wythe	1
Petersburg	4	York	4

B. Average Sentences¹² and Total Number of Disqualifying Offenses by Offenders Released on Parole after Reversal of Ineligibility

The 75 offenders whose parole ineligibility was reversed by Chair Bennett and who were later released on discretionary parole were sentenced to a total of 21 life terms plus 7,436 years, or approximately 9,032 years. This results in an average sentence per offender of 120.43 years, or life in prison plus 44 years.

Total murder convictions: 5

Total rape convictions: 8

Total armed robbery/robbery by presentation of deadly weapon convictions: 467

Average number of armed robbery convictions per paroled offender: 6.2

Total use of a firearm in the commission of a felony convictions: 399

Average use of a firearm convictions per paroled offender: 5.32

C. Violent¹³ Felonies Committed with a Disqualifying Offense by Offenders Released on Parole after Reversal of Ineligibility

Abduction	69	Burglary	55
Aggravated sexual battery	2	Entering bank while armed	10
Arson	2	Escape/attempted escape from custody	10
Attempted capital murder of law-enforcement officer	4	Forcible sodomy	4
Attempted murder	9	Malicious wounding	29
Attempted robbery	26	Unlawful wounding	4

¹ We note that Chair Adrienne Bennett unlawfully added and applied **two** elements to § 53.1-151(B1): first, the “at liberty” consideration, and second, the extraneous requirement that an offender be convicted of the crime of using a firearm to commit a felony in order for a robbery to qualify as being committed with a “deadly weapon” under § 53.1-151(B1). The plain language of § 53.1-151(B1) permits *any* robbery committed with a deadly weapon to be part of the parole eligibility analysis, regardless of whether it was committed with a firearm, a knife, a screwdriver, or a baseball bat. It was therefore unlawful for Chair Bennett to restrict the definition of robbery with a deadly weapon under § 53.1-151(B1) to only those robberies in which an offender used a firearm and was convicted of the corresponding offense. The absence of a conviction for the firearm offense does not change the fact that an offender used a deadly weapon. Because of the scope and breadth of Chair Bennett’s unlawful application of the “at liberty” element and the attendant violations of law and policy, this appendix does not analyze the unlawful application of the second extraneous element requiring a firearm conviction.

² Adrienne Bennett unsuccessfully ran for the House of Delegates in Virginia Beach in 2011. <https://historical.elections.virginia.gov/candidates/view/Adrienne-Lee-Bennett/>

³ Anthony Anderson’s Parole Eligibility Appeal Review Summary incorrectly lists his total sentence as two life sentences plus 100 years. Anderson’s correct total sentence is life plus 190 years.

⁴ Darryl Webb had an active detainer for a Baltimore, MD robbery at the time he was granted parole.

⁵ *Knight v. Commonwealth*, 71 Va. App. 492, 508 (2020) (quoting *Thompson v. Garrison*, 516 F.2d 986, 988 (4th Cir. 1975) (“[A] recantation, particularly by an accomplice, should be received skeptically.”)); *Knight*, 71 Va. App. at 509 (quoting *United States v. Bynum*, 3 F.3d 769, 773 (4th Cir. 1993) (“Courts are justifiably leery of post-trial statements by codefendants purporting to exonerate a cohort.”)).

⁶ Chair Bennett unilaterally discharged Freddie Ferrell from parole supervision in March 2020 in violation of VPB policy, a transaction further detailed in Section IV of this report.

⁷ Chair Bennett incorrectly designated John Williams’ discretionary parole eligibility date, or “DPED,” as 10/8/2040; this was Williams’ *mandatory* parole release date (“MPRD”).

⁸ Marvin Vaughan is the “Vaughan” in *Vaughan v. Murray*, the Supreme Court of Virginia case that confirms the exclusion of the element of liberty between offenses from § 53.1-151(B1).

⁹ The allegation that Ogle’s out of state robbery convictions “cannot be ascertained with certainty” is contradicted by publicly available Tennessee Department of Corrections data, which can be found by searching “Robert Ogle” at <https://foil.app.tn.gov/foil/search.jsp>.

¹⁰ This excerpt of Chair Bennett’s rationale for reversing Tracy Frazier’s parole ineligibility is partially redacted to avoid disclosure of protected health information.

¹¹ The number of total convictions reflected in this table is more than the number of offenders, because most offenders were convicted in more than one jurisdiction of a disqualifying offense of murder, rape, or armed robbery.

¹² Average sentences are calculated by assigning the 2021 CDC average life expectancy of 76 years (rounded from the actual average of 76.1 years) to offenders sentenced to life in prison. Active sentences were then added together and divided by 136. Sentences of less than a full year were not counted.

¹³ Va. Code § 17.1-805.