

1 NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

2 BOARD OF PAROLE

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4 PAROLE BOARD INTERVIEW

5 In the Matter of

6 **DENNIS S. DRUE**

7 DIN NO. 13A5348

8 NYSID NO. [REDACTED]

9 *****

10 TYPE OF INTERVIEW: REAPPEARANCE (OR EARLIER CASE)

11

12 LOCATION: Collins Correctional Facility
13 (Video-conferenced to Buffalo Area Office,
460 Main Street, Buffalo, New York 14202)

14

15 DATE: July 19, 2022

16 DECISION DATE: July 19, 2022

17

18 BEFORE: COMMISSIONER JOSEPH P. CRANGLE
19 COMMISSIONER CHANWOO LEE

20

21

22 AT FACILITY: E. DIETZ, ORA
23 D. COTTON, SORC

24

25

HEARING REPORTER: Brittany M. Whelan

1 EXAMINATION BY COMMISSIONER CRANGLE:

2 Q Sir, can you state your name for the record?

3 A Dennis Drue.

4 Q Mr. Drue, I'm Commissioner Crangle. This is Commissioner
5 Lee next to me, okay?

6 A Yes, sir?

7 Q This is a reappearance for you today; is that right?

8 A Yes, sir.

9 Q Okay. You are serving a state sentence for the following.
10 Bear with me. I know there's a lot. I have to state these
11 on the record, okay?

12 A Yes.

13 Q You have an aggravated vehicular homicide, 20 counts,
14 vehicular manslaughter first degree, four counts,
15 manslaughter in the second degree, two counts, aggravated
16 vehicular assault, four counts, vehicular manslaughter in
17 the second degree, eight counts, vehicular assault first
18 degree, four counts, assault second, two counts, and
19 vehicular assault second, eight counts.

20 When you add everything up, it comes out to 5 years to
21 15 years, correct?

22 A Yes, sir.

23 Q Okay. How old are you now, Dennis?

24 A 32-years-old.

25 Q You've been in for just under nine years?

1 A Yes, sir.

2 Q When you entered state prison you were how old then?

3 A 23.

4 Q And you were at [REDACTED]

5 A Yes.

6 Q What year were you?

7 A What year was I at [REDACTED]

8 Q Yes, before you got yourself in trouble?

9 A 2012 I started going to [REDACTED]

10 Q No, but were you a sophomore, freshman?

11 A It would have been about a junior.

12 Q Okay. When you graduated -- what high school did you
13 graduate from?

14 A [REDACTED]

15 Q Did you go right to [REDACTED]

16 A No. I went to [REDACTED] first.

17 Q For a couple of years?

18 A Two years.

19 Q The reason that I'm asking this is I'm trying to get an idea
20 of were you living on campus or were you living in an
21 apartment? What were you doing?

22 A When I was going to [REDACTED]

23 Q Yes.

24 A I was living off campus with my wife and my two children.

25 Q And you got married in what year?

1 A 2013.

2 Q And how he old were you?

3 A 22.

4 Q 22. Okay. All right. So, the record states that these
5 offenses occurred on December 1st of 2012; is that right?

6 A Yes, sir.

7 Q All right. In the Town of Half Moon, County of Saratoga.
8 You were driving alone, correct?

9 A Yes, sir.

10 Q Okay. And you're coming from a dinner with friends?

11 A I was coming from a dinner with one friend, yes.

12 Q Okay. And I'm just paraphrasing here. You were driving
13 under the influence of alcohol and you stated in prior
14 interviews that you've had marijuana during that day,
15 correct?

16 A Yeah, earlier in the day I smoked marijuana about
17 approximately five hours before the accident took place.

18 Q Okay. Well, it's more than an accident. It's a crash,
19 right?

20 A Yes.

21 Q I mean, I wouldn't phrase it as an accident?

22 A No. It was a tragedy.

23 Q Right. What ended up happening is you were speeding and
24 going into the far right lane to exit, correct?

25 A I was going to make my way off of the exit. I was trying to

1 prepare myself to make an exit off of the highway.

2 Q Correct.

3 A And I went into the right lane. I was doing 75 miles an
4 hour and that's when I came in contact with the back left
5 quarter panel with the vehicle.

6 Q Okay. The victim's vehicle?

7 A Yes.

8 Q So you were in the process of trying to exit. In order to
9 exit, you got to get in the far right lane, correct?

10 A Yes, sir.

11 Q Okay. And obviously in New York State the speed limit is
12 below 75, correct?

13 A Yes, I was speeding.

14 Q Okay. And that was on the Northway?

15 A On the Northway, yes, headed north.

16 Q Back then what was it, the speed limit?

17 A In the zone that I was in, 55.

18 Q All right. Now, looking at your record, Dennis, you had
19 been in trouble in the past with driving infractions,
20 correct?

21 A Yes.

22 Q Some of them dealt with speeding obviously, yes?

23 A Yes.

24 Q You've had suspensions --

25 A Yes.

1 Q Prior to this, correct?

2 A Yes.

3 Q When you were in high school, did you own your own car? Was
4 it your parents car? What were you driving around with and
5 getting tickets with, whose vehicle?

6 A In high school I was driving my -- a vehicle that was -- it
7 was my vehicle, not my parents. It was my mother's vehicle.

8 Q It was your own?

9 A Yes, sir.

10 Q So they gave a vehicle to you?

11 A Yes. I had to, you know, work and pay for it.

12 Q Yes, but that's how you ended up with the vehicle, right?

13 You're still living at home, yes?

14 A Yes.

15 Q Okay. I'm just trying to get an idea, I mean, of where it
16 all started. You've driven recklessly before, right?

17 A Yes.

18 Q And then adding alcohol to it is just a recipe for disaster,
19 right?

20 A Yes.

21 Q And what would you say that your lifestyle was back then?

22 A In high school?

23 Q No. At the time of the crash?

24 A At the time of the crash, my lifestyle -- well, I was going
25 to school. I wasn't someone that drank every day. I wasn't

1 an alcoholic. It wasn't an every day occurrence that I
2 would drink, not even close really. It was more of weekend
3 thing. I would smoke marijuana here and there. I was
4 really busy trying to keep up with school. I was studying a
5 lot and also trying to take care of my children. I was
6 working at the time. It was a pretty busy, hectic time.
7 That was my lifestyle. I wouldn't say that my lifestyle was
8 really, like, substance centered but it was definitely an
9 issue in my life.

10 Q All right. You had time to drink? You found time to
11 socialize and drink even though you were working and taking
12 care of a family and going to school, right?

13 A Yes, unfortunately.

14 Q Right. You fit that in and a disaster happened. I mean,
15 you have families out there that each and every moment of
16 the day they think about their children they lost, right?

17 A Yes.

18 Q And then you have the other two that not only are physically
19 injured but it's a tragedy mentally too, right?

20 A Absolutely. It's devastating.

21 Q On your end of things, since being in DOCCS custody you've
22 only incurred one infraction, correct?

23 A Yes, sir.

24 Q And you participated in and volunteered in various programs
25 throughout the years?

1 A Absolutely, yes.

2 Q Okay. And you've been at Collins for how long now, Dennis?

3 A Almost nine years.

4 Q Which is unusual. A lot of times incarcerated individuals
5 get moved around. You've been able to stay at one facility.

6 I know that home is more towards [REDACTED], but -- you've been
7 away from home for several years but you've been able to
8 maintain good contact with your family; is that right?

9 A Yes, sir.

10 Q And you've been in outside clearance?

11 A Yes.

12 Q And you have done the program where you -- where there's
13 meetings with teenagers and such, right?

14 A Yes, the CAT program where we have the opportunity to meet
15 with -- around high school kids.

16 Q Right.

17 A And that was a really good experience. I felt like sharing
18 my story with them would hopefully deter them from doing
19 anything that I was doing. It really -- that was probably
20 the most productive thing that I've done in my incarceration
21 because I was able to speak to at least 100 different high
22 school kids and express to them what I did and how they can
23 avoid going down that same path. That was really something
24 that -- I can't do anything to bring back [REDACTED]
25 but I think if I could share with other kids about this,

1 maybe I could convince them to not drink and drive.

2 There will be times when I'm in these meetings and I
3 ask do any of you drink. They raise their hands and I say
4 you're probably afforded with the opportunity to drive at
5 different times and they shake their heads yes and raise
6 their hands. I could kind of get through to them the
7 severity of that and that's something that I was grateful to
8 be able to do. When I go home, I would like to be able to
9 continue to do that in whatever capacity I can.

10 I know I can't balance the scales of what I've done,
11 but that's no reason for me to not go home and do the best
12 that I can and try to give back anyway that I can.

13 Q Well, with the program that you've done, [REDACTED]

14 [REDACTED]

15 A [REDACTED]

16 Q With that and other programs that you've taken, you were
17 able to maintain an earned eligibility certificate, right?

18 A Yes.

19 Q Which is good. Your Risk Assessment is low. It's a little
20 elevated in the one area which is not a surprise. That's
21 the need category for substance abuse. You've been
22 addressing that. [REDACTED]

23 A [REDACTED]

24 Q Do you still go to some?

25 A Occasionally. Not as much as I used to. I still do,

1 though.

2 Q All right. I'm not a counselor by any means. [REDACTED]

3 [REDACTED] I've seen
4 other individuals rearrested years later on another DWI and
5 they admitted to me that they let their guard down and they
6 got too comfortable out there. It just takes one drink to
7 change things up; do you follow me?

8 A Yes. I have to be vigilant from staying away from any
9 substance. I'm not dedicated to that. I haven't abused any
10 substance. While I've been incarcerated, I've had
11 opportunities.

12 This situation is a horrible tragedy. I've just
13 disgusted with the whole concept of drinking and using
14 drugs. I think that's understandable considering what
15 happened.

16 Q How are you spending your time now?

17 A Right now I work in inmate grievance. That's the program
18 that I'm in.

19 Q Is that every day?

20 A Yes, just about. It's just about every day. It's not every
21 single day, but it's Monday, Tuesday, Thursday, Friday.
22 Tomorrow is a training day so I won't have it tomorrow.

23 Q You have training or the staff?

24 A No, the staff does.

25 Q What do you do in grievance? What is your responsibilities?

1 A Well, so an inmate will file a grievance on something they
2 felt was unjust or unfair that happened to them and we act
3 as like the middle or the go between and the liaison between
4 them and the grievance staff and the -- the staff.

5 Q With DOCCS?

6 A Yes.

7 Q Do you have to write something up or is it all pretty much
8 an application?

9 A Sometimes. Sometimes there's grievances that are legit. A
10 lot of them are frivolous and we try to work through these
11 and sort through these and get a fair result or solution.

12 Q That keeps you busy?

13 A Yes.

14 Q When you're not doing that, what else are you up to?

15 A I spend a lot of time reading. I spend a lot of time
16 outside when I can.

17 Q Do you have a tablet?

18 A Yes, I do. I don't spend a ton of time on it.

19 Q Do you get visits?

20 A Yes.

21 Q And your children are what, about 11 and 9?

22 A Exactly.

23 Q Okay. And they are in like 6th and 4th grade?

24 A Going into 6th and going into 4th, yes. I spend a lot of
25 time -- I talk to them on the phone. We work on homework

1 and things like that. It's been tough for my son I think,
2 me not being around. That's another way that my actions not
3 only affected the obvious victims, but I've also put my
4 family through a lot as well. That's something that's been
5 really -- it weighs more heavily as you go along and you
6 mature every year and you see how your actions are unfolding
7 year after year and how many people you can really affect
8 with just poor decisions.

9 Q With your stability out in the community, okay, whether we
10 release you or you make your conditional release date which
11 actually isn't too far away. You're looking at about
12 another year and a half before your CR date; is that
13 correct?

14 A Yes. My CR date is November of 2023, yes.

15 Q What we, the Board of Parole controls is everything up to
16 then; do you follow me?

17 A Yes.

18 Q You're on parole for five years. Now, if you don't do what
19 you're supposed to do, then, you know, you could be back in
20 wearing the greens; do you understand that?

21 A Absolutely.

22 Q What I mean by that is on the supervision end the things,
23 you want to avoid -- I should say, you want to avoid getting
24 in trouble with not reporting or indulging back with drugs
25 or blowing off curfew and things like that?

1 A Those are not options for me.

2 Q You know, that's --

3 A Those are not options for me.

4 Q That's where the Board of Parole can get involved and all
5 that. To avoid all of that, you have to follow the
6 conditions.

7 Now, again, if we release you, you're looking at being
8 released within about two months or so from now; do you
9 understand that?

10 A Yes.

11 Q Otherwise your conditional release date is what you can
12 control, right?

13 A Yes.

14 Q With tickets, avoiding those which you have so far which is
15 good. Family support, like I mentioned earlier, it's a huge
16 factor for you. You have multiple letters of support. On
17 your end of things, supporting yourself, even though you
18 have family, you're looking to do what short-term wise to
19 support yourself, you know, putting money in your pocket,
20 what are your thoughts? It is with your uncle still looking
21 at remodelling or something?

22 A Yes, he's a private contractor. Right when I get out, as
23 soon as parole tells me that I can work, I'm going to find a
24 job immediately wherever I can with my uncle. That's the
25 plan. That's going to be the immediate source of income,

1 working with him. He's provided a support for me when I go
2 home and I'm grateful for that.

3 Q How far away are you from your wife?

4 A We're no longer together. We're legally married but we're
5 separated. Obviously I'm in here, but 20, 25 minutes.

6 Q Your relationship with her is civil enough to be able to see
7 the children and all of that?

8 A Absolutely, yes.

9 Q Okay. [REDACTED] ?

10 [REDACTED] [REDACTED]

11 [REDACTED]

12 A [REDACTED] [REDACTED]

13 [REDACTED]

14 Q [REDACTED]

15 A [REDACTED]

16 Q [REDACTED]

17 A [REDACTED]

18 Q [REDACTED]

19 A [REDACTED] [REDACTED]

20 Q [REDACTED] [REDACTED]

21 A [REDACTED]

22 Q [REDACTED] [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 A [REDACTED]

1 [REDACTED]

2 Q [REDACTED]

3 [REDACTED] Like you've been -- you new -- you felt that
4 you needed some help before even the crash happened, yes?

5 A Yes. I have been addressing it.

6 Q Okay. [REDACTED]

7 [REDACTED]

8 A Yes, primarily.

9 Q Are you willing to talk to people on the outside if need be?

10 A Yes. I feel like I should get a counselor to talk to.

11 Q I mean, you have experienced a lot. There's no doubt, okay,
12 both positive and negative, right?

13 A Yes.

14 Q Okay. So, it's important to -- it's important to address
15 those things and not hide them. That where that temptation
16 of slipping up could happen, right?

17 A Yes. I believe that it's going to be imperative that I keep
18 an eye on that and take care of myself in that way when I
19 get home if I want to be successful.

20 Q We have your sentencing minutes. They are quite lengthy. A
21 lot was stated at sentencing. We will consider all of that.
22 We have a DA letter that's updated. We have to review that
23 as well as everything that you have supplied to review. I
24 don't believe that there is a surprise to you, but there's
25 indeed a heavy amount of opposition as well; are you aware

1 of that?

2 A I'm aware that weighs in heavily in any decision that will
3 be made here today.

4 Q What are your thoughts about the community at large? I
5 mean, the whole high school, friends, family. It just
6 didn't impact the family. The community out there, right?
7 It was the whole high school, extended friends and family,
8 right?

9 A Yes. I mentioned that in my sentence minutes. I did
10 mention how [REDACTED] were both deeply routed in the
11 community. I do understand how it affects more than just
12 the immediate families. It's a broader impact than just
13 those families. I touched on that a little earlier. It
14 affects a lot.

15 Q What are your thoughts -- looking back, can you see yourself
16 standing there in the courtroom?

17 A Can I remember it?

18 Q Do you remember all of that?

19 A Yes.

20 Q I mean, you had the victims there too, right?

21 A Yes.

22 Q And the families, the injured victims?

23 A Yes.

24 Q Was it pretty emotional for you? What was going through
25 your mind when you were hearing and seeing everyone's

1 feelings come out?

2 A It's very emotional. At that time for someone that's in my
3 position at that time, there's a lot of shock that you're
4 still going through. There's a lot of -- it's a very
5 complicated thing emotionally. Even though it was nine
6 months removed away from the accident, you're dealing with
7 the guilt, the emotion of guilt. Then hearing the families
8 go up there and tell you what they are going through and
9 what they will be going through, it's so -- there's really
10 no word for how horrible you feel for them. There's just no
11 words. No words can really capture the feeling that you
12 feel when you realize that you've -- how much you've taken
13 away from these people. There's no word.

14 It's just -- it's very sorrowful and it's -- I don't
15 want to say that it's painful for me because it's not about
16 me. I feel so badly about how I've impacted their immediate
17 families, their friends.

18 Q You did make a strong statement at sentencing. I've read it
19 on page 62 I believe it was of the sentencing minutes. So,
20 it is noted, okay?

21 A It is what?

22 Q It's noted what you stated and very thorough presentence
23 report by probation is in the file. The letters of support,
24 you have a lengthy letter here from [REDACTED]

25 A It sounds like my cousin, [REDACTED]

1 Q Yes.

2 A Yes.

3 Q Okay. Did you get a copy of it? The letter that I'm
4 referring to is June of 2020. Did you get a copy of this
5 one?

6 A Yes.

7 Q Okay. I look at letters even previous from boards, okay?
8 So we have to consider all -- everything in the file. She
9 speaks highly of you. Do you still keep in touch with

10 [REDACTED]

11 A Yes. She's been a good family support for me and someone to
12 talk to. She's been a positive figure in my life.

13 Q What about an agency in the [REDACTED] area where your uncle
14 lives? [REDACTED]

15 [REDACTED]

16 A My uncle lives in [REDACTED] which is in the Albany County
17 area, so it's like 25 miles south -- or 25 minutes southwest
18 of Saratoga County. There are some out of [REDACTED] in

19 [REDACTED] [REDACTED]

20 [REDACTED] [REDACTED]

21 [REDACTED]

22 [REDACTED] There's some in walking distance.

23 Q Do you know -- we have a letter here from -- is that [REDACTED]
24 [REDACTED] and he works for a --

25 A Yes.

1 Q [REDACTED]

2 A Yes.

3 Q [REDACTED] And this letter is -- actually, it's
4 not dated. Was this from your last board or this board?

5 A From my first parole board.

6 Q All right. Well, it's -- are you still in touch with him?

7 A Yes, I speak to him a couple -- three, four times a year.

8 Q Okay. That's in [REDACTED] Any thoughts on going there? [REDACTED]

9 [REDACTED]

10 A I believe they do. [REDACTED] That's
11 somebody that I knew for a while and I did a lot of
12 volunteer work in this country and overseas with.

13 Q Okay. Good. Along with the COMPAS, we have your case plan
14 that lists your goals and your tasks with your counselor.
15 Obviously you've been on top with following through with
16 everything that DOCCS recommends. That's to your credit.
17 Outside clearance you've completed, correct?

18 A Yes.

19 Q Okay. So that's noted. Is there anything that you feel
20 that I missed that we didn't go over with you?

21 A No.

22 Q This is your first state bid. You've had some offenses in
23 the past regarding marijuana, correct?

24 A Yes.

25 Q But you've been given fines, conditional discharges I

1 believe, correct?

2 A Yes.

3 Q Then along with the multiple driving infractions that you've
4 had, but no felony convictions prior to all of this, right?

5 A No, none.

6 Q Okay. All right, sir. We have a lot to consider, okay? I
7 appreciate you coming in and answering all of my questions.
8 Commissioner Lee, any questions?

9

10 EXAMINATION BY COMMISSIONER LEE:

11 Q Sir, do you think that you're entitled to be released at
12 this time?

13 A I don't. I understand that I have committed a crime and I'm
14 now in the system and I put myself here. I have to deal
15 with whatever consequences I have to deal with as a result
16 of the poor decisions that led me here. I know that I'm not
17 entitled. I just want to do my time to -- I owe society a
18 debt. I owe society a debt and I know that. I want to pay
19 that debt.

20 Q Do you ever think about what kind of impact your release
21 would have on the victims family? You touched on the
22 victims, but did not go through what the victims families
23 are thinking. You caused the death of two young people.

24 A Yes.

25 Q Do you know their names?

1 A [REDACTED]

2 Q How old were they when they were killed by your accident?

3 A 17-years-old.

4 Q Just 17-years-old. What do you think about their family,
5 what they are going through? Did you ever think about that?
6 You didn't touch on that.

7 A Every day I pray for them and I think about them and at
8 sentencing, [REDACTED] mother asked me -- she said
9 every time you brush your teeth or look at your toothbrush,
10 I want you to remember my son. She was explaining a story
11 about how when she came home after he had died, that she
12 went up to his room and all of his things and saw his
13 toothbrush. This is a sentiment that she shared with me.
14 She asked me that every time I brush my teeth or pick up my
15 toothbrush, I want you to think of [REDACTED] That's something
16 that I do every day. I pray for their families every day.
17 That's something that I'm just disgusted that I am the
18 reason that they will not be going home to their families
19 ever again. It's something that I pray for their families
20 every day. I just want them to be okay. There's nothing
21 that I can do to fix it. I wish that there was something
22 that I could do. I pray. I try to be a better man every
23 day just like his mother asked me to as well.

24 Q What kind of impact do that you think your release would
25 have on the victims family? That's what I asked you

1 earlier.

2 A I -- in a way I feel like it's going to be really difficult
3 for them in one way, but I feel like in another way they
4 will be able to move on to another -- hopefully to another
5 part of healing. I'm hoping they could find healing when I
6 am released maybe by some way of -- that they don't have to
7 go to the parole board and have to continue to advocate for
8 me to be denied. Maybe this will open a new chapter in
9 their lives, the healing. I'm hoping it could be a positive
10 thing for them and that they can heal.

11 Q You don't think it will open up the old wounds?

12 A I think every time that I come to the parole board, it
13 reopens up wounds. I think that when I'm initially
14 released, it will probably open up their wounds but I feel
15 like a new chapter of healing will be able to begin for them
16 and that's what I hope from them.

17 Q Do you think that justice was served from your perspective
18 as well as their perspective?

19 A Justice?

20 Q Do you think that justice was served from your perspective
21 as well as the victims perspective?

22 A I believe that I deserve to be punished and come to prison.
23 I believe that we are in a society where we're ruled by law
24 and order.

25 Q Can you look up. I don't like people looking down at the

1 desk when they are talking to me.

2 A I'm sorry. I believe that we're in a society where we have
3 rules and laws. When they are broken, people need to be
4 punished. That's a firm part of any successful government.
5 I believe that I broke the law. What comes after that is
6 the consequences and I deserve to be punished. I don't think I
7 could ever pay back what I've done, though. I could do 100
8 years in prison. There's nothing that's ever going to be
9 truly just for these families. I don't believe that I can
10 do anything to make this right. I'm going to try to be a
11 better man every day and do my best to be a productive
12 member of society instead of someone who is a hazard.

13 Q You were arrested not at the time of the incident, correct?

14 A I'm sorry?

15 Q Were you arrested December 1st, 2012 or in January of 2013?

16 A January.

17 Q You ran away, took off?

18 A No. I was brought into -- I was brought into -- I stayed
19 at the scene of the accident and I was Breathalyzed and
20 everything like that and then brought me in there to get my
21 blood drawn.

22 Q Okay. And you were not arrested. They let you go after
23 this horrendous accident?

24 A Yes, they released me for a month after.

25 Q What was your result of you --

1 A They came down with an indictment after.

2 Q You took a plea in December of 2013, right?

3 A Yes.

4 Q Why did you take a plea?

5 A I'm sorry?

6 Q Why did you take a plea. Were you trying to fight the case?

7 You took a plea almost a year --

8 A I pled to 57 counts. I wasn't trying to fight it. I pled
9 trying to accept responsibility.

10 Q You pled to an indictment basically, the whole indictment,
11 right?

12 A Yes, short of one charge, one count.

13 Q So you pled -- your lawyer negotiated a plea with the judge
14 and not DA. This was plea to indictment, right?

15 A He made a plea with the DA.

16 COMMISSIONER LEE: Okay. Thank you for answering
17 my question.

18

19 BY COMMISSIONER CRANGLE:

20 Q Okay. All right, sir.

21 A I also wanted to say that I took a plea and I pled to a lot
22 of things that -- within they're legally I was not guilty
23 to, but I wanted to put this to rest. For example, I pled
24 to a DWI which I'm not guilty of on the record. I was point
25 05. I have the toxicology here. We talked about the

1 substance involved, but a lot of times you will hear this
2 guy was two times the legal limit. I was actually under
3 that limit which doesn't make anything that night okay. It
4 doesn't make anything that night okay, but it's a factor. I
5 wanted to say that I took the plea knowing that I wanted it
6 to be over for everybody, for the families and everything
7 and I wanted to accept responsibility. I know that I
8 shouldn't have been driving that night. I understand that.
9 I wasn't hammered drunk or anything like that. I should not
10 have been on the roads but I wanted that to -- wanted you
11 to know that I guess.

12

13 BY COMMISSIONER LEE:

14 Q But you were also speeding, though, right?

15 A Yes.

16 Q How fast were you going?

17 A 75.

18 Q And what was the speed limit?

19 A It was a 55.

20 COMMISSIONER LEE: Thank you very much for
21 answering my question.

22

23 BY COMMISSIONER CRANGLE:

24 Q All right, sir. We're going to deliberate and we will let
25 you know in writing. I do note --

1 A Can I ask a question quick?

2 Q Sure.

3 A Do you have -- are you -- I believe that you're privy to the
4 BAC results and everything like that.

5 Q I saw that the -- was the initial Breathalyzer done and it
6 was point 08?

7 A No, it wasn't, not on the scene when I saw it.

8 Q But you're saying that the blood work came back as point 05?

9 A I have the report right here if you want him to verify.

10 Q I read about it and that you had the blood work done. It's
11 a moot issue. The bottom line is you pled to multiple
12 indictments, like you said, right, and you didn't fight it.
13 You took ownership of what you did, the recklessness that
14 you were doing at that time on the highway and it just
15 turned out into a disaster, right, for everybody. You are
16 moving on in terms of a positive direction which you need to
17 continue to do, right?

18 A Yes.

19 Q But from what I've heard from you today, you're moving on
20 but never forgetting what the consequences of your actions
21 are?

22 A Every day. I will live with this and pray for these
23 families every day. This may sound strange, but I have a
24 lot of love for these families. I care about when I hear
25 that they are not -- what they are going through. It's in

1 the media and I hear about it. I feel terrible about what
2 they are going through with the loss of their loved ones,
3 [REDACTED] I wish that I could take it back.

4 Q Okay. All right. Well, listen, you expressed that clearly.
5 I appreciate that. We appreciate that. Continue to share
6 your story. That's a powerful thing that you can do, okay?

7 A Yes.

8 Q If it helps one person, that's a huge success. Don't stop
9 doing that even when you go out in the community, okay?

10 A Yes, sir.

11 Q I can't stress that enough. Thank you. Take care.

12 A Thank you. Bye.

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INTERVIEW CONCLUDED

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1 (After due deliberation by the Parole Board Panel, the
2 following Decision was rendered:)

3 D E C I S I O N

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5 Denied. Hold 24 months. Next appearance 7/2024.

6 Despite an EEC, after personal interview, record
7 review and deliberation, parole is denied. You stand
8 convicted of the following offenses: Aggravated vehicular
9 homicide, vehicular manslaughter first, manslaughter second,
10 aggravated vehicular assault, vehicular manslaughter second,
11 vehicular assault first, assault second and vehicular assault
12 second.

13 The panel has also reviewed your well-prepared
14 parole packet, letters of support, release plans and your
15 overall institutional record has been considered, including
16 but not limited to your positive programming in [REDACTED] and
17 several other programs. Additionally, your outside clearance
18 assignment is duly noted.

19 This panel also has reviewed your case plan as well
20 as an assessment of your risk and needs for success on parole
21 supervision and the overall low scores therein. The panel
22 departs from your low arrest score due to your prior record.

23 In reviewing your criminal record, it is noted you
24 had prior unlawful conduct and multiple driving infractions in
25 your past. During the interview you admitted that you had

1 used marijuana the day of the tragic crash that you caused.
2 Additionally, it is noted you admitted to consuming alcohol
3 prior to driving home and were speeding at approximately 75
4 miles per hour while driving to exit off of the Northway in
5 Saratoga County. Your reckless driving caused the death of
6 two individuals and serious injuries to two others. All four
7 victims were teenagers.

8 This panel questions your judgement and disregard
9 for the law as well as the welfare of another. This reckless
10 behavior puts the general public at risk. The panel notes
11 there is strong community opposition to your release.
12 Additionally, statements at your sentencing by the victims'
13 family and the judge are duly noted. The victims' family and
14 friends will forever be impacted by your actions.

15 When considering all relevant factors, it is the
16 determination of this panel that if released, there is a
17 reasonable probability that you would not live at liberty
18 without again violating the law. Your release at this time is
19 incompatible with the welfare of society. Continue to remain
20 discipline free and following through with any other programs
21 that DOCCS recommends.

22 If CR:

23 I will seek, obtain and maintain employment and/or an
24 academic/vocational program.

25 I will submit to Substance Abuse Testing, as directed by

1 the PAROLE OFFICER.

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 I will not consume alcoholic beverages.

7 I will NOT frequent any establishment where alcohol is
8 sold or served as its main business without the permission of
9 the PAROLE OFFICER.

10 I will not operate any motor vehicle, apply for, renew
11 or possess any driver's license without the written permission
12 of the PAROLE OFFICER.

13 I will abide by a curfew established by the PAROLE
14 OFFICER.

15 I will support my dependent children.

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 I will NOT associate in any way or communicate by any
20 means with victim(s) [SEE FILE] without the permission of the
21 PAROLE OFFICER.

22 I will comply with all court orders including those
23 ordering fines, surcharges, and/or restitution.

24 I will comply with all court orders including those
25 ordering fines, surcharges, and/or restitution.

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[REDACTED]

Geographic restrictions per parole officer.

I shall install and maintain, in accordance with the provisions of Section 1198 of the NY Vehicle and Traffic Law, and Ignition Interlock Device in any motor vehicle owned or operated by me during the period of my community supervision. This condition does not authorize me to operate a motor vehicle in the event my license or privilege to operate a motor vehicle has been revoked or suspended.

Pursuant to the provisions of the vehicle and traffic law or the laws of any other state, I may obtain a license to operate a motor vehicle only with the prior written permission of the parole officer. If I possess a license to operate a motor vehicle, I may operate a motor vehicle only with the prior written permission of the parole officer and in accordance with this condition of release.

(All Commissioners concur.)

CERTIFICATION

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I, Brittany M. Whelan, Court Reporter and Notary Public, in and for the State of New York, do hereby certify that I attended the foregoing proceedings, took stenographic notes of the same, that the foregoing, consisting of 31 pages, is a true and correct copy of same and the whole thereof.

Dated: Thursday, August 4th, 2022

Brittany M Whelan

Brittany M. Whelan, Court Reporter