

STATE OF CONNECTICUT

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Chairperson



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BOARD OF PARDONS AND PAROLES

Application for Commutation Written Decision Form

A three-member panel of the Board of Pardons and Paroles met to consider the Commutation application of the following and rendered their decision as outlined below. All decisions are final and not subject to appeal.

Date Submitted: 3/13/2024

Inmate #: 325078

Applicant Name: Jared Charles

Applicant DOB: 4/13/1986

Hearing Date: 3/13/2024

Hearing Decision: Grant

Board Member: Zaccagnini, Jennifer

Vote: Grant

Board Member: Page, Rufaro

Vote: Grant

Board Member: Pohl, Michael

Vote: Grant

A Commutation hearing was held on March 13, 2024, pursuant to the Board's authority established under Connecticut General Statute 54-130a.

Mr. Charles appeared before the Board and was represented by Attorney Kara Moreau. The Office of the Assistant State's Attorney was properly notified of the hearing and did not request to participate in the hearing. The Office of Victim Services did outreach to the victim's mother who originally requested to participate, however has since declined. There was a letter submitted to the Board in support of a commutation by Terrell Hunter, the victim's older brother.

On June 28, 2007, after trial by jury, Mr. Charles was convicted of Murder, Carrying a Pistol without a Permit, Criminal Possession of a Firearm and Possession of Narcotics. On August 29, 2007 the Court sentenced Mr. Charles as follows: on the conviction of Murder, 48 years to serve; on the conviction of

Carrying a Pistol or Revolver without a Permit, 3 years to serve concurrent to the sentence for Murder; on the conviction for Criminal Possession of a Firearm, 5 years to serve concurrent to the sentence for Murder and consecutive to the sentence for Carrying a Pistol or Revolver without a Permit; on the conviction for Possession of Narcotics, 7 years to serve concurrent to the sentence for Murder and consecutive to the sentences for Carrying a Pistol or Revolver without a Permit and Criminal Possession of a Firearm. Mr. Charles has a criminal history that includes Possession of Narcotics, and Illegal Operation of a Motor Vehicle under Suspension. This is Mr. Charles's first period of incarceration. Mr. Charles received 16 disciplinary reports, the last violent report in 2013 for fighting. He also has two non-violent reports for Security Tampering and Contraband A in 2017. Mr. Charles has remained disciplinary report free since 2017.

Mr. Charles is currently 37 years old. He was 18 years old when he committed the instant offense and has been incarcerated for the past 19 years. While incarcerated he participated in the following programming: Parenting; Cognitive Awareness; Anger Management; Tier 2; Alternatives to Violence Program; and Thresholds. He is a resident of the HONOR Unit at Cheshire, serves as a Facilitator for Tier 2, and is part of the new VIP Mentoring Program. Mr. Charles continued his education by earning his High School Diploma, and he has completed vocational classes and training in electrical.

Mr. Charles spoke about his remorse for all the pain that he caused the victim's family. He knows that no number of apologies can make up for what he has done, however he would like to make amends by continuing to become the best person that he can be, by helping others do the same, and by giving back to his community. He will continue to surround himself with mentorship and people who have positive values.

Mr. Charles has support from his mother and many family members, who have offered housing and employment support. He has a re-entry and treatment plan that includes employment, and a plan to become a licensed electrician. If granted a commutation, he is looking forward to continuing to rebuild his life. Mr. Charles included letters from his mother, siblings, mentors, mentees and friends as part of his application. One of the letters was from Corrections Officer Moore, written when Mr. Charles applied for the TRUE Unit. All of the writers attested to the significant change that Mr. Charles has made since committing this offense.

In making the decision, the Board reviewed all available documents, listened closely to Mr. Charles' testimony and answers to questions asked by the Board during the hearing. The Board considered the purposes of commutation and the conditions under which it might be appropriate to grant. The Board looked

closely at the nature and severity of the crime as convicted, Mr. Charles's current age, his behavior within the institution, his rehabilitation efforts while incarcerated, the extent to which a commutation will provide benefit to society, the amount of time already served, the impact of the crime on the victim's family.

Based upon the review of the application, subsequent investigation, and hearing, the Board issued a unanimous decision finding exceptional and compelling circumstances to commute the sentence of Mr. Charles's Murder conviction by 19 years, reducing the sentence from 48 years to 29 years, leaving all other sentences intact.

Submitted by: Michael Pohl

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Date Submitted:	3/14/2024	Inmate #:	160833
Applicant Name:	Raul Diaz	Applicant DOB:	8/1/1971
Hearing Date:	3/13/2024	Hearing Decision:	Deny
Board Member:	Zaccagnini, Jennifer	Vote:	Deny
Board Member:	Page, Rufaro	Vote:	Deny
Board Member:	Pohl, Michael	Vote:	Grant

A commutation of sentence hearing was held on March 13, 2024, pursuant to the Board's authority established under Connecticut General Statute 54-130a.

Mr. Diaz appeared before the Board, represented by Attorney Alexander Taubes. Also present was Attorney Gedansky from the Office of the State's Attorney, and Victim Advocate Lisa Hamlett-Williams from the Office of Victim Services.

Mr. Diaz was convicted of Home Invasion on April 26, 2013, after pleading guilty under the Alford Doctrine. The court imposed a sentence of 25 years with no supervision to follow. He was originally offered a plea deal of 20 years, but rejected the offer as he believed his charges should've been Burglary 1st and not Home Invasion. He committed the offense at the age of 40 and has served approximately 12 years of his sentence. The instant offense occurred on October 27, 2011, when he broke into a home and the victim returned while he was inside. While exiting the home, Mr. Diaz sprayed mace in the victim's face and hit him in the face/ head with a jewelry box he stole from the home. He then fled in the victim's car. The 77-year-old victim suffered injuries including a swollen eye and cuts to his head that required stitches. Immediately preceding the instant offense, Mr. Diaz fled the scene of another burglary and led the police on a pursuit before crashing a stolen car he was driving. Mr. Diaz's lengthy criminal history includes convictions for Sale of Narcotics, Assault 2 and 3, Violations of Probation, Reckless Endangerment,

Robbery 3, Violation of Protective Order, Interfering/ Resisting Arrest, Criminal Trespass, and Criminal Weapon Possession.

Attorney Taubes provided a statement to the Board and began by quoting the words of Martin Luther King Jr. from his sermon "Loving your enemies". He described a life where Mr. Diaz was plagued by drug addiction. He pointed out that Mr. Diaz has not received a single disciplinary report in 12 years of incarceration and emphasized his clients' efforts at rehabilitation and growth. He further informed the panel that Mr. Diaz is committed to helping others as a recovery coach. Attorney Taubes expressed his belief that the sentence in this case was excessive and accused the Tolland Judicial District of being harsher with sentencing.

While Mr. Diaz claimed to accept full responsibility for his actions, his version of events differed from the victim's (and official documents). He reported that when he attempted to leave, the elderly victim stopped him at the door and punched him in the face. In his version, he had a knee jerk reaction and lifted the jewelry box, accidentally hitting the victim with it before leaving. He failed to mention the mace that he sprayed in the victim's face. He acknowledged that he was actively using crack cocaine and heroin daily, as he had been for many years. He did express ongoing remorse to the victim and his family for the pain and fear he caused them.

Mr. Diaz has completed programs during his incarceration to include People Empowering People, Good Intentions/ Bad Choices and Tier 2. In addition, he obtained a GED and engaged in Bible study. He has worked in several positions including barber, marker shop, inmate intake and processing, and laundry. Panel members discussed substance abuse extensively, as it appears to be a driving factor in his criminal behavior. He informed the panel that the longest period of sobriety he has maintained in the community is 2 weeks. He has not participated in NA meetings or obtained a recovery coach through CCAR, as he claims he is on the waitlist for both. Through programs he reportedly learned accountability, empathy, conflict management and empowerment. Though he has not done so in a formal capacity, he believes he mentors other inmates by sharing his background and journey.

Mr. Diaz has support in the community, and the Board received letters of support from family members. He was married 7 years ago while incarcerated, after meeting his wife through a pastor in the Christian correspondence fellowship. His release plan includes going to the Youth Challenge inpatient substance abuse program, obtaining a sponsor, attending NA meetings in the community, becoming a recovery coach, and pursuing a CDL license for employment purposes. He believes he will be successful by changing people, places and things around him.

The victim in this case recently passed, and his family asked that his statement from sentencing be read by the victim advocate at the commutation hearing. In it, the victim forgives Mr. Diaz in order to set himself free but goes on to explain the emotional damage that lingered as a result of this crime. He stated that his happy carefree life was taken forever, he sleeps with the lights on at all times, and he wakes up in the middle of the night to make sure his home is safe. The victim's son-in-law gave a statement where he described the victim as a retired veteran who deserved to live out his remaining years in peace. He adamantly opposed any type of relief for Mr. Diaz as he witnesses the ongoing damage to the rest of the family who still live in the home and are fearful. He wants Mr. Diaz to remain incarcerated for the entire time he was sentenced to.

State's Attorney Gedansky gave a statement at the hearing opposing a commutation of this sentence and disputing several of the claims made by Mr. Diaz regarding details of the offense. He informed the panel that Mr. Diaz has been attempting to "work the system" since the time he was sentenced by filing 2 habeas petitions, an appeal, and a letter to the Conviction Integrity Bureau. All of these attempts have been denied, and he sees this commutation application as another way for Mr. Diaz to blame others (including the victim) and avoid taking responsibility for his behaviors.

During its deliberation, the Board considered the serious nature of the offense, Mr. Diaz's extensive criminal history and substance abuse, impact on the victim and his family, efforts towards rehabilitation through programming and education, total length of sentence and time served, and whether there are any exceptional or compelling circumstances present.

Prior to rendering its decision, the panel took a brief recess to individually contemplate all of the information presented. Upon reconvening, Chairperson Zaccagnini recognized Mr. Diaz's efforts during this incarceration, and explained that those efforts might make him suitable for release at his future parole hearing. A commutation of sentence, however, requires a higher standard than parole release. The panel ultimately concluded that Mr. Diaz has not done enough in terms of rehabilitation and programming to justify a reduction of his sentence.

In a majority decision, the panel found that there were no exceptional or compelling circumstances that would warrant commutation of the applicant's sentence. Board Member Pohl dissented and would have granted a commutation of 5 years, as he believes the sentence is excessive and not in line with contemporary sentencing practices.

Submitted by: Jennifer M. Zaccagnini

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Date Submitted: 3/13/2024

Inmate #: 230976

Applicant Name: Paul Germano

Applicant DOB: 8/8/1972

Hearing Date: 3/13/2024

Hearing Decision: Deny

Board Member: Zaccagnini, Jennifer

Vote: Deny

Board Member: Page, Rufaro

Vote: Deny

Board Member: Pohl, Michael

Vote: Deny

Having heard, the full application of the above, the Board denied the application for the following reason(s):

Mr. Germano appeared before the Board and was represented by Attorney Paul Trent. The Office of the Assistant State's Attorney was properly notified of the hearing and did not request to participate in the hearing. The Office of Victim Services did outreach and there was no victim interest in this case.

As the premise of this Commutation was medical in nature, prior to any participation from Mr. Germano and Attorney Trent, Chairperson Zaccagnini informed them that the hearing was being live streamed and any confidential information protected by the Health Insurance Portability and Accountability Act of 1996 would be a matter of public record. Chairperson Zaccagnini also informed Mr. Germano and Attorney Trent that the Board intended to go into Executive Session later in the hearing to discuss protected information. Both Mr. Germano and Attorney Trent acknowledged that they understood.

As a result of a plea arrangement that was accepted by the court, Mr. Germano was sentenced on July 24, 2018, on a conviction of Burglary 2nd Degree to 5 years of incarceration; and Burglary 3rd Degree to 5 years of incarceration to serve consecutively. Mr. Germano has a criminal history that includes 6 convictions from 1994 to 2000. The convictions range from Violations of Probation to Assault on Public Safety/EMS Personnel. This is Mr. Germano's third period of incarceration. Mr. Germano has 10 disciplinary reports, that include Refusing Housing multiple times, Threats, Interfering with Safety/Security and Intoxication. Mr. Germano has remained disciplinary report free since May 2022.

Mr. Germano is 51 years old. He was 45 years old when he committed the instant offenses and is currently in his 5th year of incarceration. Mr. Germano's current estimated End of Sentence (EOS) is 2/28/2027 and his current estimated Parole Eligibility Date (PED) is 10/26/2025. While incarcerated Mr. Germano participated in Tier 2; Helping Men Recover; Dual Recovery; and Christian Living. Mr. Germano has embraced meditation as part of his spiritual practice during this incarceration. Mr. Germano apologized for committing the offenses.

Mr. Germano has support from his mother and other family members, who have offered housing, rehabilitative support and employment in the family business. Mr. Germano included letters from his mother, attorney, Narcotics Anonymous support; and clinician, as part of his application.

In making the decision, the Board reviewed all available documents including medical documents submitted by the applicant and the applicant's attorney (the most recent records dated 12/2022), listened closely to Mr. Germano's testimony and answers to questions asked by the Board during the hearing. The Board did enter Executive Session to discuss confidential information protected by the Health Insurance Portability and Accountability Act of 1996. The Board considered the purposes of commutation and the conditions under which it might be appropriate to grant. The Board looked closely at the nature and severity of the crime as convicted, Mr. Germano's medical condition at the time of sentencing, his current medical condition, current age, his behavior within the institution, his rehabilitation efforts while incarcerated, the extent to which a commutation will provide benefit to society, the amount of time already served, and the impact of the crime on the victims.

Based upon the review of the application, subsequent investigation, and hearing, the Board did not find exceptional and compelling circumstances to commute the sentence of Mr. Germano.

Submitted by: Michael Pohl

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Date Submitted: 3/15/2024

Inmate #: 393590

Applicant Name: Roshaun Robinson

Applicant DOB: 08/29/1992

Hearing Date: 3/13/2024

Hearing Decision: Grant

Board Member: Zaccagnini, Jennifer

Vote: Grant

Board Member: Pohl, Michael

Vote: Grant

Board Member: Page, Rufaro

Vote: Grant

This hearing was held in accordance with Connecticut General Statute 54-130a, authorizing the Connecticut Board of Pardons and Paroles to commute a currently incarcerated individual's sentences who have been convicted in the state.

Mr. Robinson plead guilty to Manslaughter in the first degree with a firearm and conspiring to commit Murder and on April 11, 2014, he was sentenced to twenty (20) years of incarceration followed by five (5) years of probation. Pursuant to said statute and the Board of Pardons and Paroles Commutation Policy, Mr. Robinson met the criteria for consideration and appeared before the board without attorney representation.

At the time of the offense, Mr. Robinson was twenty (20) years old. Today he is a thirty-one (31) year old man having served over eleven years in prison. According to the official documents, police responded to a shots fired call in the Bridgeport area on October 30, 2012. Upon arrival, a nineteen (19) year old male was found lying on the ground bleeding from an apparent gunshot wound. Although the victim was going

in and out of consciousness, he was able to tell the officer that the shots came from a maroon/red colored vehicle. Police were able to locate the vehicle and apprehend its five (5) occupants. Both the official report and Mr. Robinson state that he (Mr. Robinson) was the driver of said vehicle. According to witness statements, the shots were fired from the right side of the vehicle, which would indicate that one or more of the passengers fired the weapons. Unfortunately, the victim succumbed to his injuries one-hour later at a nearby hospital. Mr. Robinson accepted full responsibility for his actions, admitting that he was just as culpable as the shooters because they were passengers in his vehicle. However, remains adamant that he did not know his codefendants were in possession of weapons. During his hearing, Mr. Robinson shared that he vividly remembers the victim's mother sobbing at his sentencing when expressing how her son's death impacted her life. On that day he vowed that he would no longer be a part of the problem but the solution. He never wants another family to experience what she had. Mr. Robinson's application for commutation, opening statement, and discussion with the panel included apologies and remorse for his actions.

A review of his institutional record shows evidence of his commitment to change not only his behaviors but also volunteer/assist in the facilities above and beyond what was required of him. Mr. Robinson has demonstrated exemplary institutional behavior by completing a number of positive programs and refraining from incurring any disciplinary infractions (with the exception of one in September 2019) showing evidence of change and the ability to be compliant. Mr. Robinson explained that his lack of maturity led to his participation in this offense, however, maturation has helped him become a leader instead of a follower. Mr. Robinson completed Anger Management, Voices, Alternatives to Violence basic & advanced, and Good Intentions Bad Choices which addressed his criminal thinking/decision-making. There were some programs that Mr. Robinson was selected from a large pool of over 800 applicants and the selection process was extremely tedious. As applicants they were interviewed, background checked, evaluated through mental health, and had to have demonstrated good institutional behavior to even be considered. Mr. Robinson excelled through the process on not only one program but three – Inside Out Prison Exchange through Quinnipiac Law School, American VetDog, and the Hospice care team which he recently graduated from after ten weeks of training. He shared that his participation in the American VetDog program truly gave him a different outlook on life. He learned accountability, responsibility, discipline, and patience. He says that so far four (4) dogs trained by him have gone home to help veterans in the community. In addition, he has earned college credits in criminal justice and sociology and is currently enrolled in college. The Panel was pleased to read and hear about all the accomplishments that Mr. Robinson has made during his incarceration. He appears to be devoted to helping others even when there is no reward to be earned. His compassion is transparent through his behaviors.

The deceased victim's mother and aunt participated in the hearing with the assistance of the office of victim's services sharing the impact this loss has had on their lives and overall family. The victim's mother explained that her mental health and overall physical health are unstable because of the grief she experiences from the loss of her son. Her remaining children have suffered as well because they must bear the loss of their brother and their grief-stricken mother. The victim's aunt spoke on behalf of her mother (victim's grandmother) sharing that her mother is a woman of great faith and that she forgives Mr. Robinson for his actions, however, as the victim's aunt, she does not forgive him because the crime was senseless, and her nephew did not deserve to die at such a young age. They both believed that since they receive no form of relief for their grief, Mr. Robinson should receive no relief. Further stating that even if he completes the remainder of his sentence in the facility, he will still be able to return to society and reunite with his family/live his life; while their lives will never be the same. The State's Attorney, Jonathan Formichella, also participated in the hearing sharing that just as the victim's family, the state was in opposition of any kind of modification to his sentence.

After listening to Mr. Robinson's opening statement, his answers to the Panel's questions, the victim statements, and the state's attorney statement, the Panel entered into deliberations. While in deliberation we considered the seriousness of the offense which was extremely serious and resulted in the loss of a young man's life. The impact on the victim's family along with their statements of opposition which were compassionate and compelling based on their lived experience. The state's attorney's opposition which addressed how the state arrived at the sentence and Mr. Robinson's additional attempts to seek relief to no avail. His criminal history which consisted of this conviction only. His efforts towards rehabilitation through programming and education which are exceptional based on the insight shared by Mr. Robinson and his desire to continue giving back/being a servant in community. The total length of his sentence which Mr. Robinson received the same amount of time has the actual shooter of the offense. The amount of time served to date and whether there were any exceptional or compelling circumstances present; and determined that there were compelling circumstances to support a commutation of his sentence.

In a unanimous decision voted to commute Mr. Robinson's original sentence of 40 years e/s/a 20 years with 5 years of probation for Manslaughter in the first degree with a firearm to 40 years e/s/a 16 years with 5 years of probation to follow and the sentence of 20 years for Conspiring to Commit Murder to 16 years to run concurrent to the Manslaughter conviction. For a total effective sentence of 40 e/s/a 16 years jail with 5 years of probation to follow; thus reducing his overall sentence by four (4) years.

Submitted by: Rufaro Page

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Date Submitted: 3/14/2024

Inmate #: 238008

Applicant Name: Andre White

Applicant DOB: June 14, 1993

Hearing Date: 3/13/2024

Hearing Decision: Grant

Board Member: Zaccagnini, Jennifer

Vote: Grant

Board Member: Page, Rufaro

Vote: Grant

Board Member: Pohl, Michael

Vote: Grant

A Commutation hearing was held on March 13, 2024, pursuant to the Board's authority established under Connecticut General Statute 54-130a.

Mr. White appeared before the Board without an attorney, choosing to represent himself. Also present was State's Attorney David Shannon, and Victim Advocate Melissa DeJesus.

Mr. White was found guilty after jury trial of Home Invasion (10 years plus 5 year penalty enhancement), 2 counts of Robbery 1st (5 years plus 5 year penalty enhancement), Conspiracy to Burglary 1st (15 years followed by 5 years of probation), and Tampering with a Witness (5 years consecutive followed by 5 years of probation). His total sentence is 20 years followed by 5 years of probation. He was originally offered a plea deal of 14 years followed by 5 years of probation but rejected that offer and opted for trial because he was in denial and not yet willing to accept responsibility for his criminal acts. At the time of

the offense, Mr. White was 19 years old; he is currently 30 years old and has served approximately 10.5 years of his sentence.

According to official documents, Mr. White and his co-defendants followed the victim home because he was driving an expensive vehicle (BMW). When they reached his home, they forced the victim inside at gunpoint to search for valuables and money. While Mr. White held the victim at gunpoint, one of his co-defendants rummaged through the house, while the other took the victim's car to an ATM machine (after demanding his pin #) to withdraw funds from his bank account. The total value of items and cash stolen was \$27,403. The Tampering with a Witness conviction stemmed from Mr. White making threatening phone calls from prison to convince a co-defendant not to testify against him.

Mr. White has a limited criminal history that includes a conviction for Criminal Trespass in 2014. He attributed his criminal behavior to immaturity and negative associations. When asked who devised the plan for this home invasion, he claimed it was a co-defendant who had experience committing this type of crime. Mr. White expressed remorse to the victim and his community and believes that through programming he now understands the impact of his crimes on so many people. It is noteworthy that Mr. White apologized to the victim during the commission of the instant offense (quoted by the victim in the police report).

Since his incarceration, Mr. White has completed several programs that include Alternatives to Violence, VOICES, Mindful Meditation, and Tier 2. He has held multiple positions with the facility to include tierman, dog trainer and detail worker in the visiting room. He spoke proudly of his participation in the Vet Dog program, where he trained 3 dogs who left the facility to help veterans in the community. He received excellent evaluations from program facilitators in the prison. To date, Mr. White has attained 15 college credits in the Business Administration program through Asnuntuck Community College and maintains a grade point average of 3.92. He hopes to continue his education and work with the Vet Dog program in the community. He also hopes to use these newfound skills and business education to open his own dog fitness and training center called Smart Paws.

Mr. White received six disciplinary reports over the past 10.5 years. The last two were in 2022 for possession of sexual material and 2016 for contraband a (marijuana). He explained that originally, sexual photos were allowed into the prison, and he used marijuana earlier in his sentence when he was still on the cusp of change.

Mr. White has support in the community, and the panel received multiple support letters from family members. He plans to reside with his girlfriend, who he hopes to marry, and he has employment waiting with HQ Dumpsters and Recycling. Mr. White looks forward to giving back to the community he took from and wants to help youth avoid his path. He is currently writing blueprints for a youth basketball league called Intellectual Backboards.

The Victim's Advocate read a statement from the victim where he opposed a commutation and expressed his wishes that the offender serves his full sentence. According to the statement, the victim still suffers emotionally, and his life has been changed forever because of this offense. He reportedly relives the instant offense daily and leaves the lights in his home on at all times. He further expressed disappointment that Mr. White did not cooperate with the investigation or accept a plea deal as the co-defendants did. He does not believe Mr. White is remorseful.

State's Attorney Shannon provided a statement at the hearing and opposed commutation of the sentence. He reported that Mr. White was the ringleader in the commission of this offense, and he actually began planning it during his previous incarceration. He further informed the panel that Mr. White filed a habeas petition with the court last year and it was denied.

Co-defendant Henry Le was granted a judicial sentence modification last year reducing his sentence from 14 years to 12 years, 9 months followed by 5 years of probation. Co-defendant Trayvon Dunning was released to Special Parole in August of 2020.

During its deliberation, the panel considered the serious nature of the offense, criminal history, impact on the victim, efforts towards rehabilitation through programming and education, total length of sentence and time served, and whether there are any exceptional or compelling circumstances present.

The panel found that Mr. White's efforts at rehabilitation and growth during his incarceration are exceptional and compelling. In recognition of such, the panel voted unanimously to grant a commutation of 3 years from the Tampering with a Witness sentence. That sentence is commuted from 5 years followed by 5 years of probation to 2 years followed by 5 years of probation. The overall sentence is now reduced from 20 years to 17 years followed by 5 years of probation.

Submitted by: Jennifer M. Zaccagnini

