

STATE OF ARIZONA
BOARD OF EXECUTIVE CLEMENCY

In re Jacob Wideman

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ADC #070340

TRANSCRIPT OF PAROLE HEARING
May 4, 2017

BEFORE THE ARIZONA BOARD OF EXECUTIVE CLEMENCY

C.T. WRIGHT – Chair

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Michael Johnson

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IDENTITY OF SPEAKERS, NON-SPEAKERS & PERSONS NAMED IN TRANSCRIPT

Speakers

C.T. Wright: Chair – Board of Executive Clemency - Present

Louis Quinonez: Board Member - Present

Michael Johnson: Board Member - Present

Jacob Wideman: Applicant - Present

Patricia Garin: Counsel for Jacob Wideman - Present

Michael Kimerer: Counsel for Jacob Wideman - Present

Daniel Pereda: Supervising Parole Officer for Jacob Wideman - Present

Ammon Barker: Deputy Attorney – Coconino County – On Phone

Colleen Clase: Arizona Voice for Crime Victims - Present

Sanford Kane: Father of Victim, Eric Kane – On Phone

Addam Gross: Ex-husband of Jacob Wideman’s Wife, Marta DeSoto – Present

Non-Speakers

Judy Wideman: Mother of Jacob Wideman - Present

Daniel Wideman: Brother of Jacob Wideman – On Phone

Jamila Wideman: Sister of Jacob Wideman – Present

Cathleen Price: Friend of Wideman Family – Present

Louise Kane: Mother of Victim, Eric Kane – On Phone

Jessica: Arizona Voice for Crime Victims - Present

Mary Wallace: Arizona Voice for Crime Victims – Present

Baretta: Parole Officer - Present

Persons Named in Transcript – Non-Participants

John Wideman: Father of Jacob Wideman

Jon H. McCaine: Psychologist

Carol Coughlin: CHC Counselor

Jeffrey D. Harrison: Examining psychologist at 1986 Transfer Hearing

PAROLE HEARING OF JACOB WIDEMAN – MAY 4, 2017

C.T. Wright:

Good Morning. This is the Arizona Board of Executive Clemency, and, uh, because the people on the phone cannot see us, I think they heard us earlier, but, uh, in terms of introductions, but I'm gonna make the introductions again. We have three Board Members participate on the panel today, and they are: to my right, that is Mr. Louie [sic] Qiwones [sic], the Honorable Mr. Qiwones [sic]; to my left the Honorable Mr. Michael Johnson; my name is C.T. Wright, I'm serving as Board Chair as well as Panel Chair today. The, uh, as we know that, uh, we know why we're here, so I do wanna make just a brief statement, and following the statement then we will, uh, continue with the hearing itself.

Uh, I want to remind everyone that Mr. Wineman [sic] has been certified by the Arizona Department of Corrections, as eligible for a 412(A), that is General Parole, and Absolute Discharge. On September the 22nd, 2016, a majority vote by the Board Members, 3-2, granted Mr. Wineman [sic] a Home Arrest. He was, uh, released on November 9, 2016. He's currently noted on Home Arrest, which still classifies him as an inmate under intensive supervision of the Department of Corrections, the Community Corrections. Miss Gram [sic], Mr. Wineman's [sic] attorney, has also requested that the Board will clarify the condition release regarding contact with children and modification request. She made an oral request for modification to the Board's counselor several months ago. The Board determined that the modification would not be heard until this hearing. These matters will be addressed after the 412(A), Absolute

1 Discharge hearing that has, uh, been, uh, de, determined.

2
3 Before we begin, please turn off all of your cell phones or other devices that
4 might make any noise, inasmuch as we are recording. Those who will be
5 participating please speak directly to the Board if you are participating in this
6 hearing. I'm gonna ask that we be very formal; that you will address the
7 Chairman before you speak, and then whatever Board Member who might be
8 appropriate that you want to speak to. Questions are only to be ask by Board
9 Members. Questions are only to be ask by Board Members. We want you to
10 be cognis [sic] of the time, as the Board has other hearings on the schedule
11 for today, and I've already outlined them earlier, er, er, at the beginning of
12 this hearing. Therefore, I'm going to ask that we all be, take our, yes we want
13 to hear from everyone, we want to hear what everyone has to say, but I am
14 gonna ask that we not repeat ourselves, and we that limit our times, and if we
15 continue to go on and on, the Board Chairman will ask you to summarize at
16 that point.

17
18 As stated in previous hearings, Members recognize that there's collateral
19 issues related to this case. We ask that those providing testimony keep in the,
20 keep it related as to why or why not Mr. Wineman [sic] should be granted
21 General Parole or remain on Homa, Home Arrest. Whether Mr. Wima,
22 whether Mr. Wineman [sic] should be granted General Parole or remain on
23 Home Arrest. We understand that emotions run deep in this matter. And we
24 wanna ask everyone to remain as calm as possible. Because we want to have
25 a smooth, professional hearing. And let me assure you that this Board will be

1 professional and fair.

2
3 The Board has had the opportunity to review all of the materials, submit, and
4 submissions that were timely brought forth to Members. If there is any
5 information brought forth today that varies from the current information
6 previously provided to the Members, the Board may evoke [sic] its ability to
7 move for Executive Session to seek legal advice. Additionally, I'm going to
8 specifically request that the Family Court issue between Miss Gross and Miss
9 DeSoto be kept between themselves. Again, the Board wants to know why
10 someone is in favor or against the inmate's application for Parole. That is to
11 be Parole with General Parole or Home Arrest.

12
13 The Board recognizes that Mr. Wineman [sic] is present with his counsel.
14 However, we would like this hearing to be conducted as similar as possible to
15 other inmate Parole hearings. We ask that his counselor recognize that our
16 decision-making will be primarily based on protestations [sic] and interactions
17 with Mr. Wineman [sic]. We will begin this hearing, just in a moment, we will
18 ask Mr. Wineman [sic] to come forward, and make a statement, and introduce himself
19 with his name and his ADC number. Then we'll ask him to make a
20 determination whether he or his counsel will speak first on his behalf. Then
21 we will ask, uh, the Board will ask questions of Mr. Wineman [sic] and/or his
22 counsel at that time. This will be followed by, uh, questions to him. We will
23 also, if requested, Mr. Wineman's [sic] family members and supporters will
24 then be allowed to provide their statements. This will be followed by a report,
25 a progress report coming from the Department of Corrections and provided

1 by his paro, supervising parole officer. This will be followed by information
2 coming from the Kane family, testimony coming from the Kane family and
3 their supporters. Finally, Board Members may ask Mr. Wineman [sic] fin, final
4 questions. And Mr. Wineman [sic] and/or his attorney will have an
5 opportunity for closing remarks. Board Members may ask questions after
6 each speaker.

7
8 As a reminder, Mr. Wineman [sic] committed the murder of Mr. Kane on
9 August the 13th, 1986. He falls under the statutory language that states, "The
10 Board shall authorize release of the applicant if it appears to the Board in its
11 sole discretion that there is probability that the applicant will remain at liberty
12 without violating the law." We will begin the formal hearing at this point, and
13 I will invite Mr. Wineman [sic] to come forward. Good Morning, Sir.

14
15 **Jacob Wideman:**

16 Good Morning.

17
18 **C.T. Wright:**

19 Would you state your name and your ADC number for the record, Sir.

20
21 **Jacob Wideman:**

22 My name is Jacob Edgar Wideman and my ADC number is 070340.

23
24 **C.T. Wright:**

25 Thank you so very much, and welcome to the Board this morning, Sir.

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Jacob Wideman:

Thank you very much, Chairman Wright, Commissioner Quinonez and Commissioner Johnson.

C. T. Wright:

My first question to you is would you like to make your own opening statement or do you wish your counselor to make a statement on your behalf, Sir?

Jacob Wideman:

I'd like to make my own, Sir.

C.T. Wright:

Well please, uh, make it at this time. Thank you so very much.

Jacob Wideman:

Good Morning, Chairman Wright, Good Morning Commissioner Quinonez, Good Morning Commissioner Johnson, and all who are present today. Um, I just want to say that the last six months have been an amazing experience for me. I've, it hasn't been easy, there've been a lot of challenges, a lot of, uh, interesting events, a lot of, uh, huh, you know after doing thirty years in prison and coming out to the free world, it's been a brand new world. But in many respects it's been a wonderful time. I, my relationship with my wife has grown, and, and flourished, and has really been incredibly supportive. It's,

1 been, um, such a boon to me, such a blessing to me, to have her and the rest
2 of my family as well, and Ms. Garin, and all of my friends guiding me through
3 this process. Because I was never so arrogant as to believe that I could come
4 out and do it all on my own. I never believed that after thirty years in prison I
5 could come out here and do everything perfectly without help, or perfectly,
6 period. I knew that there were gonna be many challenges; I knew that there
7 were gonna be many obstacles, and there have been.

8
9 And it hasn't been just me who's been the one, made, who's made this
10 successful. It's been all my family, all my friends, all of my supporters, all of
11 my wide circle of loved ones that I've spoken about in previous hearings. And,
12 as time has gone on, I've found resources within myself that I didn't know I
13 had, and that, I, could only be revealed, by this process, by coming out, by
14 being in the world as a free person, although admittedly still in the custody of
15 the DOC, still under supervision, but as a free person, as somebody who had
16 choices, as somebody who had the opportunity to make a life out in this world.
17 And, quite frankly, I'm proud of what I've accomplished. There haven't been
18 any violations; there hasn't been any violation of the law; I've been working
19 or looking for work, ever since I was given permission to do so by DOC; I've
20 maintained a strong relationship with my family, and a beautiful relationship
21 with my wife.

22
23 I haven't had the opportunity to do all the things that I'd like to do. Some of
24 what I'd like to do, including community service and church and things of that
25 nature, has been limited by the conditions, and that's the reason why I'm

1 asking for a clarification of conditions, and also a lifting of the condition
2 against owning a vehicle and driving which would make my life significantly
3 easier in terms of getting to work. At the moment I work in Mesa, and so it's
4 about a two hour commute each way, and I'd like to be able to have more free
5 time in order to engage in the kinds of things, that, like community service,
6 like church, that I don't have the time to do right now, and that are also
7 affected by my conditions. But, overall, it's been a wonderful experience.

8
9 And in terms of justification for being granted General Parole, I think that,
10 number one: the primary thing is there hasn't been any violation of
11 conditions, no violation of the law. I've followed, I've done everything I've
12 been asked to do, and more, I think. And, in addition, I've created a life for
13 myself in terms of my job, in terms of living on my own in an apartment for
14 the last two and a half months, that warrants, I think, consideration for
15 General Parole, warrants a little bit, a little bit of lifting of some of the
16 restrictions that are on me. I don't think anyone can look at the record that
17 I've established over the last six months and find reasons why, against that. I
18 mean, I've in two and a half months living on my own there's been no question
19 of whether or not I was following the law, following the conditions, continuing
20 to work, continuing to participate in the classes that I've been assigned to, and
21 living the kind of life that I committed to live when I spoke to the Board, uh,
22 eight months ago now. So those are the reasons why I believe that a
23 consideration for General Parole is warranted, and certainly, uh, uh, a
24 consideration of the conditions that have been imposed. Thank you very
25 much.

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C.T. Wright:

Thank you, Sir. I'm just gonna ask one or two questions because I'm gonna allow my colleagues to ask the major questions, because as you know this would be the first time that they will have had an opportunity to speak with you.

Jacob Wideman:

Yes.

C.T. Wright:

I've had an opportunity several times to speak with you, not in person, but on video, so, uh, it's a pleasure to see you this morning. My first question is: what is the greatest challenge that you've had so far, Sir, since being released?

Jacob Wideman:

It's a great question, Sir. I think if [pause] if I had to name one, I think it would just be going from the very structured environment of prison, and having routines set out basically for me, in a lot of ways, into a position where I had a lot more choice in terms of the things that I was able to do, and a lot more freedom to create a schedule for myself during the day, and to choose activities, and to be exposed to, you know, uh, worlds and activities that I've never been exposed to before. And so, it's funny, it almost sounds ironic, but I think that freedom has been the biggest challenge; that freedom to choose, that freedom to create a life with so many options, and with so much, uh, so

1 many possibilities, where in prison the possibilities are so limited. And it's
2 been a blessing and a challenge at the same time.

3
4 **C.T. Wright:**

5 Speaking of that, may I just ask this, how well, in your opinion,
6

7 **Jacob Wideman:**

8 Yes.
9

10 **C.T. Wright:**

11 did the Department of Corrections prepare you for your release, and to come
12 out into the community?
13

14 **Jacob Wideman:**

15 I think the Department of Corrections did the very best that they could. I think
16 that many of the programs I took were very helpful, particularly the ones that
17 surrounded transition and the emotional challenges of transition, the material
18 challenges of transition. And I think that certainly there is room for
19 improvement, there, there's suggestions that I would make, and that I've
20 actually made. Um, in terms of, uh, ways to improve the, uh, guys, the, the
21 education for guys who are coming out of prison. But I think DOC did a very
22 good job in giving me a foundation that I could come out and be successful
23 with.
24
25

1 **C.T. Wright:**

2 My next question is very elementary, but how well have you adjusted to your
3 life with your family, I believe this is the first time that, uh, you've been out
4 with your family

5

6 **Jacob Wideman:**

7 Yes.

8

9 **C.T. Wright:**

10 and, uh, your supporters, friends and relatives? How well have you been able
11 to adjust, Sir?

12

13 **Jacob Wideman:**

14 It's, I, it's been more seamless than I ever imagined it would be. I thought that
15 it would be a lot more difficult to, to adjust to that, than it has been. Um, it's
16 been wonderful since day one. Uh, my wife met me at the half-way house on
17 the very first day. And we had both talked in the weeks leading up to my
18 release, and, and anticipated there would be awkwardness, and, and, uh, you
19 know, actually being physically together, 'scuse me, for the first time, um,
20 without the restraints that were in visitation, and there just wasn't that
21 awkwardness, it just felt natural. And it's been that way with the rest of my
22 family, and with my friends, as well.

23

24 **C.T. Wright:**

25 As you know, when the Board, the Board Members, and especially the two

1 new Board Members need to become completely acquainted with you,

2
3 **Jacob Wideman:**

4 Yes, Sir.

5
6 **C.T. Wright:**

7 it's not quite the same for me, but, uh, but I do want to ask this, uh, question,
8 have you had any challenges at all from anyone since you've been out,
9 inasmuch as you've been incarcerated since what, 1986,

10
11 **Jacob Wideman:**

12 Yes.

13
14 **C.T. Wright:**

15 when this crime took place?

16
17 **Jacob Wideman:**

18 Yes.

19
20 **C.T. Wright:**

21 Anyone challenge you, the mere fact that you are out on Home Arrest, or
22 anyone looked at you and said, 'well, this is a murderer walking down the
23 streets,' anything of that nature? Has anything of that nature taken place
24 since you've been released, Sir?

25

Jacob Wideman:

Um, not necessarily on a one on one basis, somebody just coming and saying 'hey you didn't deserve to get out' or 'hey, uh, you're a murderer, what the, what the heck are you doing out here?' or anything like that. There have been challenges in terms of trying to find a job. Um, I actually had a couple of jobs pulled out from under me because of my record. But I anticipated that; and, I understand that. I understand that there are many people who will never be able to see past the fact that I committed an awful crime, and that in many people's eyes that will define me for the rest of my life. And I understand that and I accept that. And so I anticipated that there would be that challenge. That's where the challenge has been primarily, in terms of employment.

C.T. Wright:

At this time I'm gonna yield to my Board Members, and I'm gonna say to them that they may ask questions going back to the offense itself, moving towards, uh, what has, what took place while he was incarcerated, until what has taken place since he's been released. So Board Members, questions that you may have for Mr. Wineman [sic]? Mr. Johnson, Sir.

Michael Johnson:

Good Morning, Sir.

Jacob Wideman:

Good Morning.

1 **Michael Johnson:**

2 You know, first of all, let me commend you 'cause I can imagine what it would
3 be, would be out of the system for thirty years, a lot of things have changed
4 within that thirty-year period of, of time and

5

6 **Jacob Wideman:**

7 Yes, Sir.

8

9 **Michael Johnson:**

10 I think you have a strong relationship with your wife, and, uh, a strong
11 relationship with your family, and you haven't had no infractions or, or
12 violations, and you have been working or, uh, looking for work. My question
13 or concern would be, uh, during that period of time that you've been out, have
14 you been involved or enrolled in any type of, uh, uh, psychological counseling
15 to deal with, uh, the things that have become an issue, now when I say an
16 issue, I'm only talking about those things that you have to overcome, uh, with
17 looking for a job, with having to ride the bus, with some of those things that
18 could impede you, have you had or are you enrolled in some type of
19 counseling or something for that?

20

21 **Jacob Wideman:**

22 Yes. Um, almost immediately, within the first couple weeks I believe, of my
23 release I was enrolled in a, a class that's sponsored by DOC, and it has to do
24 with, uh, the criminal mindset, but I also was, I started that class on an
25 individual basis with a CHC counselor named Carol, and we did quite a bit of

1 individual counseling in addition to following the curriculum of the class itself.
2 So that was a huge benefit to me, to be able to be, to speak to her, and to call
3 on her, and to vent at her when I needed to vent, and to have her advice in
4 terms of how to handle the emotional impact of getting out, which has been
5 tremendous.

6
7 **Michael Johnson:**

8 OK. So my other question to go along with that, so, uh, this classroom that
9 has to deal with the criminal mindset,

10
11 **Jacob Wideman:**

12 Yes.

13
14 **Michael Johnson:**

15 have you had any other, uh, counseling that has to do, uh, particularly with,
16 uh, behavioral, how do we handle our behavior or responses or reactions or
17 frustrations?

18
19 **Jacob Wideman:**

20 Um, I actually was asked to not engage with, I, I had a counselor before I was
21 released

22
23 **Michael Johnson:**

24 Yes.
25

1 **Jacob Wideman:**

2 who, and, um, I was asked to not engage with him until this class was
3 completed. So I haven't engaged with him as of yet. But Carol has been
4 available to me even after the individual counseling element of it was over
5 and I was, and I entered into a class setting with a curriculum, Carol has been
6 available to me to speak to at all times, and I've taken advantage of that a few
7 times.

8

9 **Michael Johnson:**

10 OK. So just [unclear], Carol is the, uh, person with the DOC on classes on
11

11

12 **Jacob Wideman:**

13 Yes.

14

15 **Michael Johnson:**

16 criminal mindset?
17

17

18 **Jacob Wideman:**

19 Yes.
20

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21 **Johnson:**

22 OK. Thank you, Sir.
23

23

24 **Jacob Wideman:**

25 You're welcome. Thank you.

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Wright:

Thank you, Mr. Johnson. Mr. Qiwones [sic], Sir.

Louis Quinonez:

Thank you, uh, Mr. Chair. Um, Mr. Wideman, just for the sake of insight I do have a question for you. You spent I, I guess something to the effect of thirty years?

Jacob Wideman:

Yes.

Louis Quinonez:

in the, uh, correction system. A lot of experience, you were in the system for a capital crime, we're not here to retry that case. Um, certainly, uh, we're going to respect due, due process, uh, with this Parole hearing. Um, but I, have a question for the sake of insight, and that is, in your experience, that long experience inside the correction system, uh, did you come into contact or gain any insights to people that, um, you believed should not be let out of prison? In other words, there are a lot of twenty-five-to-life sentences, and of course in many cases there's eligibility for parole, but it, it could also mean life or natural life in prison.

Jacob Wideman:

Yes.

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Louis Quinonez:

So, did you come into contact with people that you felt, 'no I don't think these individuals should be coming out of prison'? I'm not asking about you, I'm asking your experiences, and, uh, your [unclear].

Jacob Wideman:

That's an interesting question, Commissioner Quinonez. Um, quite honestly, yes. Quite honestly I occasionally did run into people who seemed to be so entrenched in a mindset of wanting to exploit other people and use other people even if it meant violently for their own means, that, um, I, I hoped that they would never come into contact with my family. And so, in that sense, yes. Um, and, and that mindset of, I think the, to answer your question more specifically, the mindset of being willing to do whatever they needed to do in order to, um, to satisfy themselves, or to make, make, make, uh, good for themselves is, is the kind of mentality that, um, I tried to stay away from. Yes.

Louis Quinonez:

Thank you, Sir. I, I'll follow up by saying that, um, as, as one Board Member, I look at the unique qualities and the totality of each case.

Jacob Wideman:

Yes.

1 **Louis Quinonez:**

2 I, I come into these cases, um, with as much detachment, um, and objectivity,
3 and, and managed emotions as possible. I, I owe that to the State of Arizona,
4 [unclear], just public safety, victims' concerns, and inmates's rights.

5
6 **Jacob Wideman:**

7 Right.

8
9 **Louis Quinonez:**

10 But, um, I do want to thank you for your response in that it does help us gain
11 some insights as to what happens inside the correction system, and what
12 people actually learn from that process.

13
14 **Jacob Wideman:**

15 Yes.

16
17 **Louis Quinonez:**

18 So, thank you for being candid.

19
20 **Jacob Wideman:**

21 You're welcome.

22
23 **Louis Quinonez:**

24 I have no further questions.

25

C.T. Wright:

1
2 I'm just gonna ask one more question. And that is, uh, just, you know, the, I
3 didn't count them, but I believe this is the fifth time that I've had the
4 opportunity to see you, Sir. And then there were other Board Members who
5 saw you much earlier than I did. Um, during that period, that thirty-year
6 period, or more recently, did you ever think that you were going to come out
7 on Home Arrest or, or Parole, or that you, because you've been before this
8 Board so many times, and you've been denied so many times? Did you think
9 that that was ever gonna happen, Sir?

Jacob Wideman:

10
11
12 Um, quite honestly Chairman Wright there were times when I started to
13 believe that it wasn't gonna happen. There were times when I wondered if I
14 would ever be given this opportunity. And, uh, those were some, some pretty
15 dark moments. But I always maintained hope, and that's where my family and
16 my wife and all of the people who love me and have been with me all along
17 were incredibly helpful. In the moments when I started to believe that it
18 wasn't gonna happen they were there for me, and telling me 'hey, no, it's
19 gonna happen one day, it's gonna happen one day'. And that's why I feel
20 some, such a powerful sense of responsibility to a wide circle of people and
21 not just myself. And that's, that's a big part of what drives me. It is, I'm not
22 responsible just for Jake Wideman, uh, and just to make a good life for Jake
23 Wideman, but I'm responsible to all those people who fought for so many
24 years, and loved me for so many years, and waited for the day that I would be

1 released. I'm, I feel a tremendous sense of responsibility to them as well. And
2 that's something I wake up every morning and remind myself of.

3
4 **C.T. Wright:**

5 Forgive me for asking all these personal questions.
6

7 **Jacob Wideman:**

8 No, no. It's
9

10 **C.T. Wright:**

11 I'm gonna ask another personal one. Do you feel, in view of the offense itself,
12 back in 1986, up in the Flagstaff area, and we, I know the history pretty well
13 by now,
14

15 **Jacob Wideman:**

16 Yes.
17

18 **C.T. Wright:**

19 from memory, uh, do you feel, deep down in your heart, down in your mind,
20 that you actually deserve the Home Arrest or, or Parole, Sir?
21

22 **Jacob Wideman:**

23 Well, I think we, I think you and I actually, or maybe it wasn't, the Board and I
24 at the last hearing talked about that, and I have a real, um, struggle with the
25 word "deserve". Um, I, I would never stand up and say that in light of the

1 awful crime that I committed and the tremendous amount of pain and
2 suffering that it caused so many people, um, that I deserve something. Um, I
3 would, I would rather phrase it as I'm grateful for the opportunity. I, I think
4 that I've done everything that I can do to become a good man, to live in the
5 world as a good man, to be in a position to make a positive impact on other
6 people's lives, um, but, and this, maybe this is just a, a personal thing, I would
7 never state that I deserve something, that's not a word that I would ever use.
8 Um, that's something, that kind of a decision I think is, is the Board's to make,
9 and I'm very grateful that the Board has given me this opportunity,
10 tremendously grateful, um, I'm very grateful for the opportunity to at some
11 point possibly move into General Parole, um I think that my conduct and the
12 way that I'm living my life warrants that consideration, but, Chairman Wright,
13 I would never use the word "deserve."

14
15 **C.T. Wright:**

16 Thank you, Sir. Any further questions by Board Members at this time? You'll
17 have other opportunities. At this time I'm gonna call for a, hopefully one
18 minute recess, and we'll attempt to connect someone else on the phone.
19 Ready for this technical challenge that we have, it may take more, more than
20 a recess. You wait, have a seat, Sir,

21
22 **Jacob Wideman:**

23 Thank you.
24
25

1 **C.T. Wright:**

2 then we're gonna be asking your supporters and families to come forward
3 after we make this call to the attorney.

4

5 **Unknown Female Voice:**

6 So can you guys please hold for one second?

7

8 **Unknown Male Voice:**

9 Yes.

10

11 [Sounds of telephone dialing]

12

13 **Ammon Barker:**

14 [Unclear]

15

16 **C.T. Wright:**

17 Yes, Sir. This is Arizona Board of Executive Clemency, this is C.T. Wright, and,
18 uh, it's our understanding that you wish to participate in Mr. Wineman's [sic]
19 hearing today, Sir. Is that correct?

20

21 **Ammon Barker:**

22 That is correct. Thank you.

23

24 **C.T. Wright:**

25 Well we will ask you to hold on. Of course, you have missed his, uh,

1 introductory statement as well as some preliminaries that we've gone over,
2 but at the appropriate time we will be asking you to make a statement, Sir.

3
4 **Ammon Barker:**

5 Sure.

6
7 **C.T. Wright:**

8 So if you would be kind enough to hold on, we'll appreciate it, Sir.

9
10 **Ammon Barker:**

11 That'd be great. Thank you.

12
13 **C.T. Wright:**

14 OK, uh, do we have, uh, uh, do we have, uh, uh, Attorney, do we still have you
15 on, uh, Mr. Barker?

16
17 **Ammon Barker:**

18 Yes, Ammon Barker for, uh, the [unclear] Coconino County.

19
20 **C.T. Wright:**

21 Do we still have Mr. Daniel Wineman [sic]?

22
23 **Daniel Wideman:**

24 Yes.

25

1 **C.T. Wright:**

2 Do we still have on Mr. and Mrs. Kane?

3

4 **Sanford Kane:**

5 Yes, you do.

6

7 **C.T. Wright:**

8 OK. Well, we will continue with the hearing at this time, and, uh, as we
9 outlined at the beginning, we will go to, uh, Mr. Wineman's [sic] family, and
10 supporters. And I do have a list, but I'm not gonna make that decision who
11 wishes to speak first, do you, do you have that list who want to speak first?
12 Or will his counselor; please state your name for the record, Ma'am.

13

14 **Patricia Garin:**

15 Good Morning. I'm Patricia Garin, Mr. Wideman's counsel. Um, Mr. Wideman
16 and I made a decision that the family has all supported, all support letters that
17 are here today, they hear that the Board's time is better spent probably talking
18 to Mr. Pereda and to Mr. Wideman. They would all be happy to come in and
19 say that Jake is wonderful, that he's been doing great, they've been in
20 constant contact with him, he's living up to everybody's expectations, and
21 they're all very proud of him, and I can tell you to a person that's what they
22 would say to you. Um, he's got a huge family support system out there, and
23 some of them have even come here today, once again, to be, to just sit here
24 and show their support. But unless the Board has particular family questions,

1 they'll just rest on their letters to save some time, and not to be repetitive of
2 what is in their letters.

3
4 **C.T. Wright:**

5 Thank you so very much and we, the Board has had an opportunity to read all
6 of the letters, and, uh, we want to thank the family members for the letters
7 and for their participation in previous hearings. Board Members, is there any
8 particular family member that you have any question for? Hearing none, Mr.,
9 Mr. Johnson you have one?

10
11 **Michael Johnson:**

12 I, I have one, one question, it was, uh, uh, a question for, uh, Mr. Wideman,
13 and it's referenced the, uh

14
15 **C.T. Wright:**

16 Mr. Wideman would you come

17
18 **Michael Johnson:**

19 No, no it reference his father.

20
21 **C.T. Wright:**

22 So, you have a question for him or for his father?

23
24 **Michael Johnson:**

25 For, for the father. I don't know if he's here or, or not.

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C.T. Wright:

Miss Gram [sic], would you

Patricia Garin:

Mr. John Wideman is not here. He submitted a letter, but he was unable to be here today.

Michael Johnson:

OK.

Patricia Garin:

He's actually in France.

Michael Johnson:

OK. Thank you.

C.T. Wright:

Thank you so very much. Board Members, anyone else from the family that you wish to speak? If not we're gonna follow the outline that I, er, uh, deminulated [sic] earlier, and at this time we're gonna ask that his, uh, supervising parole officer would come forward, and uh, make er, any statement that he would like to make, and as he's coming forward I would say to those who are present today, the Board is in receipt of the progress report, uh, uh, for the Parole Board hearing, uh, dated, uh, April 27, 2017. And, uh,

1 we have that and the Board Members have had an opportunity to review that
2 report. However, we would like to ask, um, the parole officer if he would be
3 kind enough to share with us any information that's in the report or otherwise
4 that he would like to share with the Board, Sir. First of all, could you state
5 your name and your position for the record, Sir.

6
7 **Daniel Pereda:**

8 My name's Dan Pereda. I'm Senior Parole Officer at Site 2 of [unclear] Unit.
9

10 **C.T. Wright:**

11 Yes, Sir. And what would you like to share with the Board today about Mr.
12 Wineman [sic] and your supervision of him, Sir?
13

14 **Daniel Pereda:**

15 On 11/09/2016 the Offender was released to prison on Home Arrest as by the
16 Board of Executive Clemency. Uh, since that day the Offender has been in
17 compliance with programming, uh, has two residen, residence changes, um,
18 he's been contacted at least weekly for a face to face contact, OK, some of
19 'em were announced, some of 'em were unannounced. Uh, the location for
20 the contacts varied, he's had parole office, um, his employment, um, his
21 residence, of course, and other locations. Uh, he's had four different em,
22 employ, employment changes, and all have, uh, he resigned the last three.
23 I've spoken to the employers after he resigned and asked the reason that, or
24 to confirm his statements on why he, um, resigned those jobs. All of them
25 have been because a position wasn't something he was looking for. All the

1 employers, his four employers have been, spoke about him positively. Um, at
2 this time the Offender has been in compliance with his current conditions,
3 and, um, directives. That's all I got to say.
4

5 **C.T. Wright:**

6 OK, Sir. May I just ask this, and I mean, and I know that you said "all". "All" is
7 a big word, A-L-L, that's a big word, have there been, and I'm assuming that
8 you had experience in working with other inmates in the past, have there been
9 *any, any* violations whatsoever that you are aware of, that Mr. Wineman [sic]
10 has committed since, uh, being out, Sir, being on Home Arrest?
11

12 **Daniel Pereda:**

13 To the best of my knowledge, no, Sir. I've, uh, been a Community Corrections
14 officer since 2006. And I have supervised numerous offenders, between sex
15 offenders, Home Arrest, and uh, normal Parole offenders. And Mr. Wideman
16 has not committed any violations. He did fail to attend one program, program
17 session and that was this Sunday, but that was a mis-communication amongst
18 us, uh, since he failed to put it on his itinerary, which he's required to, uh,
19 submit to me weekly, of all his movements, or to trace his movements; I have
20 to verify 'em and see if they're appropriate, and approve them.
21

22 **C.T. Wright:**

23 So what happened this past Sunday, Sir? The reason that, uh, he didn't attend
24 whatever, whatever he's supposed to be that meeting, Sir?
25

1 **Daniel Pereda:**

2 He indicated that it slipped his mind; I overlooked it. I spoke to, I have since
3 addressed him of this issue, and re-directed him, and told him he just, that it's
4 not appropriate, and that he needs to attend the remaining six sessions. And
5 he understood.

6

7 **C.T. Wright:**

8 So you have staffed him. Uh, have you put him on any type of probation or
9 any type of warning, anything at all, Sir, as a result of that?

10

11 **Daniel Pereda:**

12 No sanctions, just, uh, verbal reprimand, Sir.

13

14 **C.T. Wright:**

15 OK, Sir. Now, lemme just ask one other question, before I go to other Board
16 Members, uh, my, my question is, you say that, I believe since '06 you've been
17 a, uh, parole officer, and you're a parole officer now, uh, how would you rank,
18 or, or, uh, look at, uh, Mr. Wineman's [sic] since he's been out on Home Arrest,
19 is he, er, er, near the best ones that you've supervised, he's the worst one
20 you've supervised? What would you fall on a scale of, uh, let's say one to ten?
21 What would you, uh, rank him at, Sir? Ten being the highest.

22

23 **Daniel Pereda:**

24 With respect to you, Mr. Chairman, I would, I can't make an opinion. I would
25 just indicate that he's in compliance with these current conditions and

1 directives, Sir.

2

3 **C.T. Wright:**

4 So you're not, uh, going to, uh, based on your experience you're not going to
5 say that to the Board. OK. Thank you, Sir. Now, I'm gonna yield now to my
6 Board Members for questions that they may have for you, Sir. Uh, Mr.
7 Johnson, Sir.

8

9 **Michael Johnson:**

10 Could you elaborate a little bit more, for me, on the three times that he didn't
11 like, uh, uh, that it just really didn't work for him?

12

13 **Daniel Pereda:**

14 He began working on the December 22nd, 2016 for NAOS Staffing, it was a
15 temporary staffing agency,

16

17 **Michael Johnson:**

18 What was that?

19

20 **Daniel Pereda:**

21 N-A-O-S. Temporary Staffing Agency.

22

23 **Michael Johnson:**

24 Wha, a, a staffing agency?

25

1 **Daniel Pereda:**

2 Yes, staffing agency. Uh, he was contracted out to work at the Waste
3 Management Complex located in Surprise. What he did was, uh, it's a
4 recycling center, he would sort the recycling garbage, and, um, he complained
5 that he was getting nose bleeds, having, uh, breathing issues. So he, uh,
6 applied for an actual position within Waste Management and not through the
7 staffing agency. Um, and there again he, he, just before he got the job with
8 that, uh, position of, at the Waste Management, um, he resigned with the
9 staffing agency, 'cause Waste Management had offered him a position. They
10 turn around, did a background on him, and didn't think it was appropriate, or,
11 offer, they rescinded that position after they did a background. His second
12 employment

13
14 **Michael Johnson:**

15 So, so let me, I just want to make sure, 'cause you said he, so did he leave that
16 job, or they rescinded the position?

17
18 **Daniel Pereda:**

19 W, Waste Management?
20

21 **Michael Johnson:**

22 Yes, Sir.
23

24 **Daniel Pereda:**

25 They offered the position, but before he could begin work, Sir, they rescinded

1 that position.

2

3 **Michael Johnson:**

4 So, he

5

6 **Daniel Pereda:**

7 He no longer worked for, or he quit, or resigned with the temporary staffing
8 agency prior to actually beginning work at, for Waste Management, not as a
9 contractor, but a, an actual employee for Waste Management.

10

11 **Michael Johnson:**

12 OK. So he resigned from the staffing agency,

13

14 **Daniel Pereda:**

15 Yes, he did.

16

17 **Michael Johnson:**

18 And Waste Management rescinded the offer for the position.

19

20 **Daniel Pereda:**

21 That's correct, Sir.

22

23 **Michael Johnson:**

24 OK. 'Cause I thought I saw, if I recall right, something in the report where
25 Waste Management, wro, wrote, uh, a support letter for 'im. That's, I mean

1 that's, that's kinda different, they write a support letter for him at the same
2 time they didn't want to give him a job. I'm just trying to understand what
3 the problem was.
4

5 **Daniel Pereda:**

6 He was there as a contractor, through NAOS, um, staffing agency, but the
7 actual position itself, for, not working through NAOS, or not as a contractor,
8 with the Waste Management, they, they didn't hire him.
9

10 **Michael Johnson:**

11 OK. Thanks, Sir.
12

13 **Daniel Pereda:**

14 But as, uh, as a, as a contractor, they loved 'im.
15

16 **Michael Johnson:**

17 OK.
18

19 **Daniel Pereda:**

20 They spoke, they positively loved 'im.
21

22 **Michael Johnson:**

23 OK. Go ahead.
24
25

1 **Daniel Pereda:**

2 Second one? The second employment was also with a temporary staffing
3 agency, and it began on, uh, February 7th of this year. They, uh, he was
4 contracted to work at, uh, Schuff Steel here in Phoenix. Um, began his first
5 day on the 7th; end of the day, they enjoyed him, liked him, they turned
6 around, contacted the staffing agency and stated that position that Mr.
7 Wideman was at they were going to do this Schuff Steel's Human Resources,
8 indicated that they were going to do a background on him. Well, they did a
9 background, and they no longer needed his services at that, at that facility. I
10 also spoke to the staffing agency rep, and they stated he didn't do anything,
11 there was no issues, didn't have no negative comments about him, it just, uh,
12 Schuff Steel didn't want him to work for them anyway.

13
14 **Michael Johnson:**

15 Yes, Sir.

16
17 **Daniel Pereda:**

18 Um, third employment was, began on March 3rd of this year. He began
19 working at, uh, Birk Development,

20
21 **Michael Johnson:**

22 What?

23
24 **Daniel Pereda:**

25 Birk, B-I-R-K, Development, here in Phoenix, what they go into the, uh,

1 businesses, they remodel, OK. He was hired on as a general laborer to, to staff
2 the, uh, actual company site, clean up trucks that, that ride off-site. Um, he
3 resigned there on April 6th of this year, and he stated that it wasn't a position
4 that he enjoyed, or it wasn't something he looked for. I contacted, uh, the
5 owner of Birk Development. She as well stated she was happy that the
6 Offender was working for her, she understand why he left, um, she was willing
7 to hire him back as well, like all the other agencies, or employees, or
8 employment agencies.

9
10 On April 7th, 2017, he began working for 24/7 In Touch, here in Mesa, as a cus,
11 customer service rep, and that's where he currently works now.

12
13 **Michael Johnson:**

14 OK. Now I wanted to go back to, uh, some training that, in the past where he
15 talked about, uh, that he's receiving from DOC. And I'm going to, [long pause
16 noises from shuffling papers], he's attending a program, a DOC program, I'm
17 assuming that, are you the one that assigned him to the Criminal Mindset
18 program that he's attending?

19
20 **Daniel Pereda:**

21 I referred him to, uh, it's called Correctional Health Care, it's contracted
22 through us, or through ADC. Um, referred him on, uh, November 15, 2016.
23 [Unclear] he completed his, uh, screening assessment, and they assigned him
24 to twenty-four hours, two-hour sessions, for a total of forty-eight hours, and
25 the Car, the Car, and the, correction, Career Criminal program. Um, he has

1 been attending sessions regularly, except that session this weekend. Um, that
2 the punch reports from them have been positive and actively, and he has been
3 actively participating in these programs.

4
5 **Michael Johnson:**

6 So it's called Career Criminal

7
8 **Daniel Pereda:**

9 Program.

10
11 **Johnson:**

12 And it's a program you said, a behavioral, you referred him to another agency
13 outside that referred him and put him in that program?

14
15 **Daniel Pereda:**

16 No. I actually referred him to the C, it's called Correctional Health Care, CHC.

17
18 **Michael Johnson:**

19 So can you, so that program you said was how, how many hours?

20
21 **Daniel Pereda:**

22 Um, they assigned twenty-four, twenty-four sessions, each session's two
23 hours each.

24

25

1 **Michael Johnson:**

2 OK. So those sessions, uh, he had twenty-four sessions two hours each, and
3 this is one of the sessions, he missed one session which you're referring to,
4 which was on Sunday.

5

6 **Daniel Pereda:**

7 That is correct, Sir.

8

9 **Michael Johnson:**

10 So are these sessions every Sunday, are they weekly, are

11

12 **Daniel Pereda:**

13 They're weekly, Sir.

14

15 **Michael Johnson:**

16 So, are they on the same day, would you know if they're on the same day, or,
17 or could those days change? I mean if he's in doubt about it, and doesn't
18 understand that the days are gonna change; I'm trying to understand if there's
19 a routine to actually attend. Is it every Sunday, every, every other Sunday, or
20 is there, they give you a calendar, and these are the dates?

21

22 **Daniel Pereda:**

23 The are, they could change.

24

25

1 **Michael Johnson:**

2 OK.

3

4 **Daniel Pereda:**

5 As [unclear] let's say he gets an appointment where he can't attend those
6 Sessions tomor, on Wednesdays, they will re-assign him to a Sunday session,
7 or a weekend session.

8

9 **Michael Johnson:**

10 OK.

11

12 **Daniel Pereda:**

13 Um, he began, I believe, on Wednesday evenings, he was doing the sessions,
14 and because issues with the conflict with employment, they changed him to
15 Sundays.

16

17 **Michael Johnson:**

18 OK. So one more question, Sir, and I'm not sure that you're gonna be the right
19 one to answer the question, could you tell me what that, uh, Career Criminal
20 class or program, what the curriculum, or kinda what that's about? Could you
21 tell me anything about that?

22

23 **Daniel Pereda:**

24 No, Sir.

25

1 **Michael Johnson:**

2 OK. Thank you.

3

4 **C.T. Wright:**

5 Thank you, Mr. Johnson. Mr. Qiwones [sic]?

6

7 **Louis Quinonez:**

8 I have no questions, [unclear].

9

10 **Wright:**

11 Thank you so much, Sir. Anything else you want to share with the Board, Sir?

12

13 **Daniel Pereda:**

14 Sir?

15

16 **C.T. Wright:**

17 Anything else you want to share with the Board?

18

19 **Daniel Pereda:**

20 No, Sir.

21

22 **C.T. Wright:**

23 OK. Thank you so very much. Er, I'm gonna skip around and I apologize for
24 this, but Ms. Gram [sic] may I just ask you one other question, will you come
25 forward,

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Patricia Garin:

I have one other comment that I [unclear]

C.T. Wright:

I just have one quick question. No this was because you said that the family and frien, and supporters did not wish to speak, and I wanted to know if that also included Mr. Daniel Wineman [sic] who happens to be on the phone, is that, he didn't want to speak either?

Patricia Garin:

I believe it does, is that correct? Danny?

C.T. Wright:

Mr. Wineman [sic], Mr. Danya [sic]?

Daniel Wideman:

Yes. Yes, Sir.

C.T. Wright:

Did you want to speak? I'm sorry, uh, because when Ms. Gram [sic] said that no one wanted to speak from the family or supporters I did not ask you if you wanted to speak, Sir, so I'm asking you do you have a statement that you want to make to the Board, Sir?

1 **Daniel Wideman:**

2 I, I wanna go along with, uh, Jake's wishes, and the attorney's wishes, I'm
3 happy to answer questions to speak, but I had not intended to, um, to speak.
4

5 **C.T. Wright:**

6 OK. Well, thank you so much. I just wanted to go around [unclear] because I
7 don't want to overlook anything, I wanna make sure we do it the right way, so
8 thank you so very much. Any questions by Board Members, for, uh, Mr.
9 Daniel, uh, uh, Wineman [sic]? Hearing no questions, we will move on.
10

11 **Patricia Garin:**

12 Just wanted to make that one point about counseling for the Board to consider
13 which is that, um, as Dr. Wright will recall we had set up for Community
14 counseling and therapy with, um, Dr. Jon McCaine, a very well-known clinical
15 therapist in the Phoenix area. And when he got into DOC counseling they
16 asked him to put that off until after he completes all of that. But that is still,
17 um, ready to go, whenever the Board, um, when he finishes the other
18 counseling, when they're ready. That's a person who's used to working with
19 people coming out of prison; he's, he's read everything about Jake's history
20 already, um, and he's very happy and ready to start working with Jake; and we
21 have the payment taken care of, so that can be put into place whenever, um,
22 the Board wants to. It's Dr. Jon McCaine in Phoenix. Thank you.
23

24 **C.T. Wright:**

25 Thank you so very much. OK, we're gonna move forward, and, um, now we

1 will go to the, uh, victims and their supporters. Uh, and I do not have an order
2 that they wish to participate; I don't know if anyone has that order for me or
3 not. Yes, Ma'am, would you state your name, and uh, for the record.

4
5 **Colleen Clase:**

6 Yes, Mr. Chairman. Colleen Clase. Um, Sandy Kane is going to be first on
7 behalf of the Kane family. I'll speak next, uh, very briefly. And then I believe
8 Mr. Gross wants to speak.

9
10 **C.T. Wright:**

11 OK. Lemme just ask this because I, I don't know the County Attorney from,
12 uh, Mr. Barker, who's on the phone, is he on your team or, or? Just for the
13 record.

14
15 **Colleen Clase:**

16 I, I believe he would be, um, present in support of the victims, but I do not
17 know

18
19 **C.T. Wright:**

20 Can you tell us the order that he, that you want him to speak?

21
22 **Colleen Clase:**

23 Um.
24
25

1 **Ammon Barker:**

2 I'd be happy to speak after everyone else, uh,

3

4 **Wright:**

5 He'd be happy to speak after. Just wanna make sure that I have some order
6 here. OK, so, so you said Mr. Kane was gonna speak first?

7

8 **Colleen Clase:**

9 Yes, Sir.

10

11 **Sanford Kane:**

12 Yes.

13

14 **C.T. Wright:**

15 OK, well, Mr. Kane we are ready to listen to you. So, uh, please state your
16 name for the record, and, uh, at this time.

17

18 **Sanford Kane:**

19 Thank you, Dr. Wright. My name is Sandy Kane. I'm the proud father of Eric
20 Kane. Uh, my wife, Louise, Eric's Mom, is with me here on the phone, but I'm
21 gonna be speaking today on behalf of the entire family.

22

23 **C.T. Wright:**

24 Well, welcome, Sir. And what do you want to tell the Board today, Sir?

25

Sanford Kane:

1
2 Um, it's difficult for us to believe that I'm speaking to this Board only eight
3 months since the last hearing in September. It's hard to put into words just
4 how horrified my family was, and is, with the outcome of that last hearing.
5 We firmly believe that the Board made a serious mistake in releasing
6 Wideman to Home Arrest. While we take some comfort that the three Board
7 Members who voted to grant Home Arrest to Wideman are no longer on the
8 Board, it remains on the record as a decision of the Board. The Board made
9 that decision without ever knowing who the real Jacob Wideman is. None of
10 us know why he brutally murdered Eric. Throughout all the last seven
11 hearings, Wideman has either lied, avoided straightforward questions, or
12 showed us other clear evidence of his manipulative behavior. He did this in
13 an attempt to hide the truth – that he has a long term violent history, clear
14 mental health issues from childhood to today, and that he's responsible for a
15 vicious, pre-meditated murder.

16
17 In the package that the Board received about Wideman, there's a listing of his
18 inmate record from his imprisonment in 1988 up to his release last November.
19 As an example of what Wideman and his team are attempting to hide, that
20 listing has a total of a hundred and two entries, with fifty-six of those entries,
21 more than half, related to mental health issues. We're supposed to believe
22 that Wideman is a perfectly normal individual, with no mental health history,
23 and his horrific murder of our son was an isolated incid, incident. We all truly
24 know better than that. I could spend hours talking about Wideman's history
25 and the lies and deception in his testimony throughout the last seven parole

1 hearings. But I'm counting on the diligence of this Board, and that you saw
2 the evidence of those lies in the previous records that you've reviewed. I
3 wanna to focus on some points about the real Jacob Wideman in the time
4 since the last hearing in September.

5
6 Before I do that, however, I need to make some relevant comments about his
7 parole officer and the PO's supervisor. Shortly after the last hearing I
8 attempted to get some answers about the parole process, from them, and I
9 was told that I could not speak with them. I could only communicate in
10 writing. I explained that a phone conversation would be much more
11 productive and efficient. I said that I had information that could be helpful to
12 them in handling Wideman's case. And I wanted information from them.
13 Despite this, my requests were repeatedly denied. When I did write with
14 questions about Wideman's status, the responses I got were either terse and
15 uninformative, or I was denied the proper answers. My family is legally the
16 victim in this case, and based upon the Arizona Constitution, The Victims'
17 Rights Amendment, we're entitled to these answers. I have recently been told
18 by the DOC, that this behavior is not DOC policy and that these two individuals
19 have been reprimanded for their actions.

20
21 If we had had an opportunity to have meaningful conversations last fall, some
22 of the issues that I want to discuss here might have been prevented. For
23 example, having information about his job and residence was and is very
24 important to us. Since his residence and place of work are clearly locations
25 where he could be seen, and I and my family and many friends either live or,

1 live in Arizona or visit frequently, knowing this information would help prevent
2 any unwanted encounters. Information about his job is also important to us
3 as it relates to Wideman's obligation to pay restitution to us. The Judge
4 ordered Wideman to pay approximately \$14,000.00 in restitution during his
5 sentencing in October of 1988. Those payments didn't start, believe it or not,
6 until 2013. Since then, until he was released, we have received monthly
7 checks of varying amounts totaling about \$1,200.00. Since shortly after his
8 release we've been getting these fixed monthly amounts of \$100.00. At that
9 rate, it will take more than ten years for him to complete paying our
10 restitution. The Arizona Victims' Rights Amendment specifically says that we
11 are entitled to: quote "prompt restitution," unquote. I don't believe that
12 anyone would consider ten years to be prompt. If we know, if we knew where
13 Wideman is working, and what he is earning, we can file a claim for more
14 reasonable monthly payments.

15
16 We've received no formal communications from either the DOC or this Board
17 about exactly when Wideman was released from prison. As a result of some
18 of my questions, we were told that it was in early November. The Board made
19 it quite clear last September that they preferred Wideman to go to Old Pueblo
20 in Tucson. Despite Wideman telling the Board at that hearing that he was
21 accepted there, we later found out, again only through our questioning, that
22 they turned him down and he was going to Reborn Assistance in Phoenix. Of
23 course we have no knowledge as to why he was turned down. Knowing
24 Wideman, it wouldn't surprise me if he never bothered to tell them in his
25 application that he was a convicted murderer. We only found out in the last

1 few days that he moved from Reborn Assistance to his own apartment in a
2 Phoenix apartment complex with no connection to Reborn Assistance. As the
3 victims in this case it's imperative that we would have had that information.
4 But it was never forthcoming.

5
6 We are very troubled, and we believe you should be as well that he moved to
7 this apartment. We know that this move was approved by his parole officer,
8 which we assume was never discussed with the Board. At the last hearing in
9 September when the Board voted to grant Wideman Home Arrest, the Board
10 made several things very clear. While they voted 3-2 to grant Home Arrest,
11 they unanimously voted to deny him General Parole. While leaving the
12 ultimate choice of Wideman's residence to his parole officer, the Board
13 specifically stated their desire to have Wideman placed at Old Pueblo. They
14 also were very specific in stating regardless of which location was chosen that
15 he must be in a place that provided control, supervision, counseling, and
16 programming. Wideman sat through that hearing; he heard every word. He
17 also confirmed at the request of Board Chairman Ms. Kirschbaum that he
18 understood all the conditions of his release. It should be obvious to everyone
19 that this move to a private apartment was a direct violation of the intent of
20 the Board and the conditions that they spelled out there. This is clearly not a
21 supervised, controlled environment. In keeping with his incredibly
22 manipulative behavior, Wideman managed to convince his parole officer that
23 this move was OK. I guess the parole officer never understood the conditions
24 set out by the Board or reviewed the hearing transcript from September.
25 While Wideman may have an attached GPS monitor, and supposedly needs

1 his PO's permission anytime he wants to leave his apartment, if the PO
2 approved this move, he might be letting Wideman do whatever he wants.

3
4 Except for the GPS monitor, assuming he's wearing it, this situation is
5 essentially General Parole, not a restricted Home Arrest. Wideman knows this
6 is a clear violation of the conditions of his release. Upon his release, Wideman
7 signed an eight-page document and initialed each line item indicating that he
8 read and understood each condition. In examining this document, it appears
9 that Wideman has violated numerous terms of his conditions of supervision
10 and Home Arrest, inspite of what his PO has just said. Even though he got
11 permission to change his residence, he knows that this was a violation of the
12 conditions. In addition, there are conditions in this document that mention
13 needs assessment, and referral for counseling, vocational, educational, and
14 the requirement to take part in available programs. I believe that the program
15 Wideman is currently involved in is way below the intent of the Board when
16 they chose to release him. The Board was very clear about the need for
17 Wideman to be placed in a facility that would provide him with a controlled
18 environment with supervision and counseling and other programs. It's clear
19 the apartment he is in doesn't meet that set of requirements. Wideman fully
20 understood what the Board was directing and signed off on all the conditions
21 of his release. It's just one more clear example of his consistently
22 manipulative, deceitful, lying behavior which he has exhibited to this Board
23 throughout all of his parole hearings since 2011.

24
25 We learned in the package recently submitted by Wideman's attorney that

1 they want you to loosen some of the restric, restrictions placed on him as part
2 of his conditions of release. It's too bad that these conditions are
3 inconvenient for him, or make his life a little harder. They seem to forget that
4 these conditions are meant to restrict him and protect the public. Letting
5 Wideman drive a car would give him significantly more freedom than the
6 Board or the normal release conditions intend. It would be a huge mistake for
7 the Board to allow him that freedom. They're also asking you to modify the
8 condition you imposed in restricting Wideman's access to children, to be sure
9 to specifically relate to Addam Gross's two children. It's actually irrelevant if
10 you did that because there are two of the regularly listed DOC conditions,
11 conditions number 12(d) and (e), that prohibit Wideman from being in contact
12 with any children under the age of eighteen. It is not your job to make life
13 easier for Wideman.

14
15 According to the parole officer's progress report to the Board, Wideman has
16 completed as he told you, eighteen of the twenty-four program sessions. Not
17 a significant amount since it's been twenty weeks since Wideman got outa
18 prison. That number's even more concerning when you learn that part of this
19 programming is for substance abuse, a problem that we have been
20 consistently told Wideman has never had. The only other program Wideman
21 was assigned was this Career Criminal class that the PO mentioned. Given the
22 knowledge of Wideman's history before he murdered our son, as well as in
23 the thirty-one years since, if this is all he was assigned out of the screening
24 and assessment that was done, we must question the thoroughness of that
25 assessment. The progress report also states that Wideman is working in a

1 place called 24/7, but only for less than three weeks. In his report, the
2 progress report that the PO sent you, it said that this is his third job he's had
3 in the last six months. He just told us a few minutes ago it was actually his
4 fourth job. What's the truth? What kind of a job is the PO doing to be wrong
5 on a progress report he gives to the Board? We all have to wonder the
6 circumstances that would cause this kind of an employment record in such a
7 short period of time. In that progress report, it also states that he's had one
8 residence change. The PO, a few minutes ago, mentioned that he had two
9 residence changes. I think the Board oughta ask him where on earth Wideman
10 was between Reborn Assistance and the apartment complex he's in today.
11 One thing that was not listed in the progress report is any of the mental health
12 counseling from Dr. McCaine that we were assured was gonna take place. We
13 were told at last September's hearing by Wideman and his lawyers that
14 Wideman was gonna have regular sessions with Dr. McCaine, which the Board
15 agreed was critical. The fact that this assessment that he had done, or the
16 class he's currently in, is suggesting he should not have that necessary
17 counseling is not a decision they should be able to make. The Board wanted
18 it to happen, and it's not happened. It's just one more way that the system is
19 being manipulated and that they are ignoring what the Board insisted had to
20 be done by Wideman.

21
22 If the Board of Executive Clemency requests and receives the records of
23 Wideman's GPS tracking monitor from the parole office, supposedly worn by
24 him all the time, it will provide clear evidence of Wideman's movements as
25 well as any of the violations of the conditions of his release, and his utter

1 disdain for the Board's intentions and direction. All of this cries out for a
2 detailed investigation of Wideman's activities and movements since he was
3 released. Knowing the real Jacob Wideman to be a deceptive, lying,
4 manipulator, I am confident that the investigation that will show that he has
5 seriously violated the conditions of release, and that he must be sent back to
6 prison where he belongs, and [unclear] he should never have been released
7 in the first place. While that investigation is ongoing he must be maintained
8 on Home Arrest, with no consideration of General Parole. In addition, the
9 Board should demand that he immediately be returned to Reborn Assistance
10 or a similar facility so that he can actually be in a Home Arrest situation that
11 you described for him. This must be done to protect the citizens of Arizona
12 and to do what is in their best interests. Thanks for hearing us.

13
14 **C.T. Wright:**

15 Thank you so very much, Sir, uh, for your comprehensive, uh, testimony to the
16 Board. Board Members, do we have, any Board Member have, uh, questions
17 for, uh, Mr. Wineman [sic], at this, I mean, Mr. Kane, at this time, or his wife
18 who's on the phone as well?

19
20 **Unknown:**

21 No.

22
23 **Unknown:**

24 No, Mr. Chair.

25

C.T. Wright:

Thank you so much. Yes, Ma'am, and would you state your name again for the record.

Colleen Clase:

Of course. Mr. Chairman, Colleen Clase with Arizona Voice for Crime Victims. Also with me is Jessica [unclear], another attorney in my office, and Mary Wallace, an adjutant to my office. Our organization represents the Kane family. I believe this is probably the sixth or seventh time I've appeared at various hearings in front of the Board. I echo the comments made by Mr. Kane. Um, when this Board granted Mr. Wideman Home Arrest on September 22nd, while that wasn't a unanimous decision there was one common concern amongst that current Board, and that was Mr. Wideman's housing. The Board wanted him to have a, 'scuse me, wanted him to live in an environment that provided support and structure. That's why a facility like Old Pueblo or Reborn Assistance, um, was discussed, um, somewhere where he would have 24/7 access to support, counselors, case managers. By Mr. Wideman's own admission today, it hasn't been easy, being on Home Arrest, he's stated that there have been challenges and obstacles that he had to overcome, but now we learn he's been living on his own for the last two and a half months.

One, uh, point I, I would like to make is, 'scuse me, any conditions this Board imposed, recommending Old Pueblo, or as designated by the parole officer, it was our understanding that as designated by the parole officer would mean another facility where Mr. Wideman could get the structure and support that

1 someone that has been in prison for thirty years is going to require before
2 they make a re-entry into society. Over the years that I've appeared here,
3 there've been hours and hours of conversations about where Mr. Wideman
4 would live if released. In fact the facilities like Reborn Assistance and Old
5 Pueblo, were actually part of the plan that Mr. Wideman and his attorney
6 proposed to this Board when asking for release on, on Home Arrest and
7 Parole. I would urge this Board to thoroughly question the parole officer more
8 on the housing decision, and why Mr. Wideman is no longer at Reborn
9 Assistance, and how the decision was made to allow him to live in his own
10 apartment.

11
12 Another point, um, I'd like to touch on is the request for clarification about
13 contact with children. Again, I echo Mr. Kane's comments that the Board did
14 impose the general condition that he's not to have contact with children
15 under eighteen, and additionally he's not supposed to enter, uh, businesses
16 or establishments that have a, that gear their, their services or their, um,
17 products towards children. We would ask, um, that, you know, that an
18 alternative condition or an exception to a condit, we would ask that the
19 general condition remain the same, that there are, that there is no contact
20 with children under eighteen. If Mr. Wideman's family wants an exception to
21 that, based on wanting him to have a relationship with members of their
22 family who are under eighteen, then I think that would be the appropriate
23 question to ask the Board, not just to have a, the, um, restriction removed.

24
25 Um, based on the concerns regarding housing, again, Mr. Wideman's been

1 incarcerated for thirty years, and only eight months on Home Arrest, six
2 months, um, has specifically been out of prison, I would urge the Board not to
3 grant him General Parole, but to keep him on Home Arrest.

4
5 In addition I would ask the Board to impose a condition as it relates to
6 restitution. It's unfortunate that the parole officer would not communicate
7 with the victims on the case, um, or that the supervisor would not, um,
8 communicate with them, with the exception of a few words in an email.
9 Restitution, um was a condition but there was never a discussion between
10 parole and the victims about payment. And of course [unclear] Coconino
11 County Court, but, um, communication, um, would have been helpful in
12 setting the payment amount. I'm asking this Board to impose a condition that
13 would currently double the amount to have been paid since release. It's my
14 understanding he's been paying \$100 a month, I would ask the Board to
15 impose a condition that he pay \$200 a month. Other concerns, um, honestly
16 after hearing the parole officer not wanting to elaborate too much on, on a
17 number of things, the number of job changes Mr. Wideman has had, um,
18 because the jobs weren't what he was looking for, um, the fact that he missed,
19 um, a session appointment this past Sunday, I think someone that's still
20 technically in DOC custody and on Home Arrest doesn't have the luxury of
21 having appointments slip their mind. I'd ask the Board to take those matters
22 into consideration, and deny Mr. Wideman's request for relief on Parole. With
23 that, if you have any questions, I'm happy to address those questions now.

24

25

1 **C.T. Wright:**

2 Board Members, any questions? Hearing none, thank you so very much.

3

4 **Colleen Clase:**

5 Thank you.

6

7 **C.T. Wright:**

8 And, who did you say was coming next, Ma'am?

9

10 **Colleen Clase:**

11 I believe Mr. Gross is going to speak next.

12

13 **C.T. Wright:**

14 Thank you so much. Good Morning, Sir, and would you state your name for
15 the record.

16

17 **Addam Gross:**

18 My name is Addam Gross.

19

20 **Wright:**

21 Thank you and welcome to the Board again, Sir.

22

23 **Addam Gross:**

24 Thank you, Board Members for hearing my concerns today. Um, for the past
25 two years, countless families, extended families, friends, even strangers that

1 have heard about Wideman's case and the involvement of my children, all said
2 the same thing. Sorry. Sorry you have to go through this, sorry that your
3 children are involved with this. I don't wanna hear sorry anymore; I wanna
4 see meaningful protections for my children. I don't wanna live in limbo where
5 [unclear] every six months for my children's safety. I don't wanna burden on
6 my families and friends to have them write letters in support to deny his, uh,
7 easing of restrictions, to have access to children. I want this Board to protect
8 my children. My children have the right to not live in fear; they have the right
9 to go to sleep and not wonder if they're safe; my children have the right to
10 not keep secrets and feel ashamed; my children have the right to not be
11 manipulated; my children have the right to be children.

12
13 Again I'm asking this Board to consider its terms of Parole. I don't believe
14 Wideman should be in society, and more importantly I don't think he should
15 ever be around children. What happened at Old Pueblo, what happened to
16 Reborn Assistance? What happened to the intensive structure of protections
17 myself and my children were promised at the last hearing? Wideman is a few
18 miles away from my daughter's school. I was never considered in that
19 placement, by a parole officer. I wanted to speak; no one wanted to listen to
20 me. Mr. Wideman's a few minutes from the children's other home, a few
21 minutes. My children are being victimized in this. This Board also made
22 restrictions at the last hearing talking about no contact to, through third party
23 communication with my children, between my children and Wideman. How
24 is that being monitored? How do we know that there's been adherence? If
25 this was ordered you should be able to measure it. I personally work with

1 inmates, and I know under certain classifications polygraph is a routine part
2 of their probation or parole. I would recommend that if we're gonna order no
3 contact with my children, that we enforce that through polygraph. I ask this
4 Board to keep my children safe today and tomorrow. Do not allow Wideman
5 to ever have contact with my children while on any type of parole. It's in their
6 best interests. Please consider this reasonable request. That was my written
7 statement. But after hearing some things I have a few other comments. At,
8 at the last session, Ellen Kirschbaum expressed her grave concerns about
9 Wideman and his manipulation, and how he's developed relationships with
10 staff members, and she kept saying, you know, he's a manipulator, and she
11 wondered what would happen if he were to be released and could continue
12 his manipulation. I think you get a chance to see that today. Those are all my
13 comments for today.

14
15 **C.T. Wright:**

16 Thank you.

17
18 **Addam Gross:**

19 Thank you.

20
21 **C.T. Wright:**

22 Questions, Board Members? No questions from Board Members. Thank you
23 so much, Sir. Before we go to the attorney is there anyone else in the room
24 that wishes to speak today, Ma'am?

25

1 **Colleen Clase:**

2 No, Sir. Thank you.

3
4 **C.T. Wright:**

5 OK. Thank you so very much. Therefore at this time we will go to Attorney,
6 uh, Barker and, uh, would you state your name, Sir, for the record. And, uh,
7 introduce yourself, Sir.

8
9 **Ammon Barker:**

10 Yes, thank you. My name is Ammon Barker. I'm a Deputy County Attorney at
11 the Coconino County Attorney's office. Um, I have, uh, only recently become
12 aware of this case. Other attorneys in my office have handled this case
13 previously. As I review this case, and, and listen today to the comments, um,
14 the State, I have to say the State shares the concerns of the victims that were
15 stated today. I, I can tell you from my review of the case there are three things
16 that are very apparent to the State. One that this was a heinous murder,
17 there's no other way to state it. Also that there was, from my understanding,
18 never an explanation given about why the Defense [sic] took these actions.
19 And then thirdly that Defendant [sic] is an expert at manipulation. And I think
20 his record, the record of issues in his incarceration bears that out, as well as
21 the record of his parole hearings, um, up to today. The State is very concerned
22 about the safety of the public; obviously we're concerned about the impact
23 this has had on the victims. We would ask the Board to maintain the most
24 strict terms to his current release. Um, I'm frankly shocked that the Board
25 decided to release him at the last parole hearing. Um, but that's the Order of

1 the Board, and so we're asking the Board to maintain as strict terms as
2 possible for the current release, consistent with the views of the victims and
3 consistent with the public safety. We ask the Board to deny his request for
4 General Parole at this time based on those reasons. Thank you.

5
6 **C.T. Wright:**

7 Thank you so very much. Questions for Mr., Mr., Qiwones [sic] has a question
8 for you, Sir.

9
10 **Louis Quinonez:**

11 Thank you, Mr. Chair, uh, is it Mr. Barker?

12
13 **Ammon Barker:**

14 Yes, Sir.

15
16 **Louis Quinonez:**

17 Mr. Barker, I have a question.

18
19 **Ammon Barker:**

20 Yes.

21
22 **Louis Quinonez:**

23 Um, and I, I think you've already touched upon, I find it very important, I think
24 it's the appropriate time to ask this. Do you believe that the outward behavior
25 of an inmate is a stand-alone indicator of psychological stability? I ask

1 because I know sociopaths exist in this world and community at large.

2

3 **Ammon Barker:**

4 Right.

5

6 **Louis Quinonez:**

7 I'll ask this again, do you believe

8

9 **Ammon Barker:**

10 Yes.

11

12 **Louis Quinonez:**

13 that outward behavior is a stand-alone indicator of psychological stability?

14

15 **Ammon Barker:**

16 Outward behavior alone?

17

18 **Louis Quinonez:**

19 Outward behavior alone.

20

21 **Ammon Barker:**

22 I don't believe outward behavior alone is the sole indicator, no.

23

24 **Louis Quinonez:**

25 It's a simple question. Thank you very much, Sir.

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Ammon Barker:

Yes.

C.T. Wright:

Thank you. Any further questions?

Louis Quinonez:

No Sir.

Michael Johnson:

No, Sir.

C.T. Wright:

No further questions at this time. Uh, do we have anyone else, do you have anyone else for us, uh, on your side? OK. Then, uh, we're going to, uh, invite Mr. Wineman [sic] back, uh, er, uh, at this time. First of all, I'm gonna ask the Board Members, after the discussions and, uh, testimony to this Board today do you have any questions at this time, for Mr. Wineman [sic] at this particular time? There're no questions at this time. Then we're coming towards the end of this hearing. And at the end of all parole hearings, we give the, uh, Offender, you in this case or your counsel, the opportunity, and all [unclear] to make a final statement to the Board before the Board goes into discussion and makes its determination. So at this time, er, uh, would you like to make a final statement or will both of you be making a final statement to the Board?

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Jacob Wideman:

I just have a few comments and then my attorney would like to make a few comments as well. Um,

C.T. Wright:

Thank you, Sir. Please state your name again for the record.

Jacob Wideman:

Jake Wideman, Jacob Wideman.

C.T. Wright:

Yes, Sir.

Jacob Wideman:

Um, the first thing is, I just wanted to address very briefly, the, um, issue about the class last Sunday. When I was creating my itinerary, usually I create my itineraries on the pre, for the entire week, and it slipped my mind, I forgot to put it on the itinerary. But it wasn't that I forgot the class. I did remember. When, on Sunday morning I had another activity scheduled for that day and I wasn't sure of the hours, and I went and I checked it, and I realized that I hadn't put the class on my itinerary, and I attempted to contact the parole office for permission to attend the class, but I wasn't able to get that before the time of the class. But I acknowledge that that was my mistake.

1 **Michael Johnson:**

2 Could I just ask some questions?

3

4 **C.T. Wright:**

5 Yes, Sir.

6

7 **Michael Johnson:**

8 So, when you put your itinerary

9

10 **Jacob Wideman:**

11 Yes.

12

13 **Michael Johnson:**

14 together to attend those classes, so, is that, were you attending those classes,
15 they were on Sunday, is that correct?

16

17 **Jacob Wideman:**

18 Yes.

19

20 **Michael Johnson:**

21 That was my understanding. So, is it every Sunday, every other Sunday, or

22

23 **Jacob Wideman:**

24 It, it had been every Sunday for about, I don't want to say exactly, for about
25 two or three months.

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Michael Johnson:

OK. So about two or three months

Jacob Wideman:

I'd been putting it on there regularly,

Michael Johnson:

Regularly that you'd been putting it on,

Jacob Wideman:

It just slipped my mind that day. Uh, but when the day actually came, when I was scheduled to return to attend the class I did attempt to contact the parole office to get permission to go, uh, but I wasn't able to contact them, and so I take full responsibility for that,

Michael Johnson:

OK.

Jacob Wideman:

for that mistake.

Michael Johnson:

One more question, Sir. So every Sunday you had these classes, were they at the same time every Sunday?

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Jacob Wideman:

Yes. Yes. They were scheduled for 1 o'clock every Sunday.

Michael Johnson:

OK. Thank you, Sir.

Jacob Wideman:

You're welcome. Um, the other issue I wanted to talk about a little bit was the employment. Um, in terms of the employment, the first job that I had, that I was getting the nosebleeds and I was getting sick, but I stuck with it. I didn't leave that job until I had a signed employment offer and verbal confirmation of a start date from Waste Management for the next job. That's when I went in and I spoke to my supervisor at the NAOS, N-A-O-S job, and she said 'OK. Great, you know, go ahead and take the week off and you start with them next Monday.' Um, then of course, later that week, after I had already resigned from the NAOS position, uh, Waste Management contacted me and said, and rescinded their offer. Um, so it wasn't as if I quit that job without having another job to go to. That did occur once, that did occur with the Birk Development job, I did leave that job because it was, it wasn't meeting, it wasn't meeting the expectations that I believed had been expressed to me when I was hired, um, and I did choose to leave, and that's when I found my present job. Um, but in terms of the history, I left the NAOS job because I had a signed employment offer in hand from Waste

1 Management and a start date, and then just before the start date they
2 rescinded the offer.

3
4 Then I found a job with Schuff Steel, as Mr. Pereda stated, I worked the one
5 day, um, the, my direct supervisor, 'scuse me, my direct supervisor sent a
6 message to the staffing agency that was basically glowing and said, you know,
7 'thank you so much for finding this guy, I look forward to moving forward with
8 him,' and then the HR department said that they needed to do a background
9 check, and that's why I lost, that's why I lost that job. It wasn't a voluntary
10 leaving of that job. Then I found the Birk Development job, and I chose to
11 leave the Birk Development job, and to move to the 24/7. So I just wanted to,
12 um, clarify that history a little bit. It's exactly as Mr. Pereda stated, but it
13 wasn't as if I left three jobs voluntarily. It was just the one voluntary leave of
14 the Birk Development position. Um, and I'm very happy in my present job at
15 the moment. And, uh, unless the Board, the Members have any other
16 questions for me, that's all I wanted to express.

17
18 **C.T. Wright:**

19 Further questions at this time for Mr. Wineman [sic]? No further questions.
20 OK.

21
22 **Jacob Wideman:**

23 Ms. Garin wanted to make a statement. Thank you.
24
25

C.T. Wright:

Please come forward Ma'am. Once again, would you state your name for the record.

Patricia Garin:

Patricia Garin, Mr. Wideman's attorney. Just a few points for clarification. Um, some of the, uh, opposition folks brought out the fact that he was living at Reborn Assistance, and as I put in the written material, um, at the hearing we had all spoken about Old Pueblo. He went for the screening, or they did screening at Old Pueblo, and they called, they called both Parole and me, and said that, um, they were focused on taking high risk parolees, and they grade them by risk, and they give them a risk assessment number, after they do a risk assessment test, and Mr. Wideman was too low a risk for Old Pueblo, for the funding they were getting for the clients they were taking. And so Parole decided, and we spoke about the second choice, which was Reborn Assistance, which is where he then moved.

Um, with respect to the idea that he should be living at Reborn Assistance, the only thing I'll say is, is that, um, we all know that Old Pueblo and Reborn Assistance are, are programs that generally run about ninety days. Um, it's frequently anticipated that per, people will be moving into their own places, and that's exactly what Mr. Wideman did, with everybody's recommendation, including the folks at Reborn, who thought he was more than ready to move in. And being on Home Arrest, and having your first apartment, is a great progression in re-entry. To go from being in a sheltered living space such as

1 Reborn Assistance, and then to go to your own apartment but be on Home
2 Arrest at your own apartment, which is where he has been for a while. And
3 that's not freedom as you all know; you don't leave your house unless you've
4 put it, gotten approval a week ahead of time about where you're going to
5 move and where you're going to be, and then you're tracked to make sure
6 that those are the only places you go. So you don't have free time; you follow
7 the schedule that you've submitted a week ahead of time and it is approved.
8 And you're tracked and monitored. And Mr. Wideman has been tracked and
9 monitored since he moved out until now without a violation. So, I'd say he's
10 been showing incredible compliance with a very difficult, difficult task, and I
11 think you all know how difficult it is, staying in perfect compliance with that,
12 and he has done that.

13
14 With respect to the question about the amount of restitution, Mr. Wideman
15 was interviewed, and the amount was set by the Coconino County Clerk's
16 office at \$100 a month, that's a lot when you're not earning much more than
17 minimum, but it's, he makes it, he pays his \$100 a month, and to him that's a,
18 that is a very sizable commitment for every month by the time he pays all the
19 other fees that must be paid.

20
21 Um, the other two points were to, um, the remaining issues about the driver's
22 license, and, um, clarification of the conditions. Is it time to talk about that or
23 should I sit down?
24
25

C.T. Wright:

We're not going to look at modification, but if you can, what do you want to tell us about, uh, that, Ma'am?

Patricia Garin:

Um, we, our request was three-fold. One, to please consider Mr. Wideman for General Parole. Secondly, to, uh, drop the condition that he not be able to get a driver's license. Um, he spends up to two and a half hours each direction each day going back and forth to work; um, it takes up every day at least in excess of four hours of his day, some days closer to five hours. And for all of the things that he wants to be doing with his life, it's, it's a huge amount of money, a huge amount of, it's a lot of stress to be getting up that early every morning making sure he gets in to work on time, making sure he makes the train connections, and this is a job he likes, this is a job that has some chance for advancement, it's a job that is good for him, and it's important to him, and he wants to be able to keep it. But the, the timing is extremely difficult. And being able to get a driver's license would make a huge difference in him, and, so we ask that you reconsider it, the no driving. He's done great for the six months he's been out, and this would make his life even easier.

And the clarification request is just to clarify the condition which I think everybody meant last time, which was no contact with step-children. That's how the condition reads, it reads no contact with step-children until changed by the Family Court; that was the intent of the hearing, that's what everyone

1 spoke about; that was the motion that was made by Ms. Lines, but when the
2 condition was put in, it just says 'no contact with children unless changed by
3 the Family Court.' Um, we ask that you just insert the word step-children to
4 make it clear, because right now Mr. Wideman spends so much of his day
5 being so, so careful to not be in the vicinity of children. He's been told he can't
6 take part in two charitable activities; community activities he wants to take
7 part in in the church; he, um, wants to, um, do volunteer work in the church
8 center; he wants to do volunteer work at Second Place; he was told those
9 might involve contact with children; he doesn't take walks, he doesn't go to
10 parks, he doesn't go to movies 'cause he's afraid he might come in contact
11 with children. Um, and I think that was never the Board's intent, the Board's
12 intent was no contact with his step-children until changed by the Family Court,
13 and he is in complete agreement with that. Absolutely no problem with that
14 condition whatsoever. So, we just ask that you insert the word "step" to make
15 it clearer, um, so there's no doubt whatsoever what the condition is, and
16 modify the driving condition.

17
18 And for all the reasons that you've heard today, Mr. Wideman is a very strong
19 candidate for General Parole. And, I've heard people use the word
20 "manipulator" many times. I find that so, um, so sad and so offensive, because
21 Mr. Wideman is absolutely not a manipulator. He is an intelligent, well-
22 spoken, well-spoken, intelligent man of color. He is not a manipulator, and
23 there's something that's very frightening about using that term to describe
24 somebody like Mr. Wideman who is so well-spoken, and so intelligent, and
25 works so hard to speak from his soul, to tell you what he's thinking about and

1 what's going on. He has never lied to you; he has always told you the truth,
2 and he always will. He takes Parole unbelievably seriously as you can see by
3 his record. Thank you.
4

5 **C.T. Wright:**

6 Thank you so very much. Questions? There are no questions? At this time
7 we're coming towards the end of this hearing. Uh, as you note, I do wanna
8 make just a couple of comments. Er, uh, I think all of you're aware of this, that
9 this Board does operate under the Open Meeting Law of the State of Arizona.
10 This will be the first time that this Board as it is constituted today, will have
11 had the opportunity, to discuss, to discuss Mr. Wineman's [sic] hearing. We
12 cannot discuss it outside, we cannot have, uh, conversations anywhere, we
13 have to do it right here, publicly, according to the Arizona, uh, Open Meeting
14 Law. Therefore, for the first time we will discuss this, uh, this hearin', this, uh,
15 Mr. Wineman [sic].
16

17 **Louis Quinonez:**

18 Dr.?
19

20 **C.T. Wright:**

21 Yes, Sir.
22

23 **Louis Quinonez:**

24 Can I just ask, can we take a like a, have a like a five-minute recess?
25

1 **C.T. Wright:**

2 OK. At the request of a Board Member we will take a five-minute recess. The
3 Board is in recess for five minutes.

4
5 [Background noises and voices]

6
7 **C.T. Wright:**

8 The Board is now back in session. I believe that five minutes has passed. And,
9 uh, as you can see I do believe, in, uh, operating on a timely basis. I was talking
10 about, uh, Home Arrest before we, uh, sorry, I was talking about, uh, the, the
11 Open Meeting Law. I think that we all know that this will be the first time,
12 that's the point that I was making here, this will be the first time that the three
13 of us will have, have the opportunity to discuss this, uh, uh, Home Arrest
14 hearing for Mr. Wineman [sic]. The second thing that I want to say is I do
15 recognize, as we stated earlier, that there are emotional, involved, in this, uh,
16 regarding this hearing. And we're gonna ask that we all just remain
17 professional, and respect this Board, and the Board of course will be
18 professional, and will respect each of you. Also I'd just like to re-emphasize
19 for all of us, I was saying at the beginning, I want to remind everyone that Mr.
20 Wineman [sic] has been certified by the Arizona Department of Corrections as
21 eligible for a 412 (A) General Parole, and Absolute Discharge. On September
22 the 22nd, 2016, a maj, a mador, a majority vote by the Board Members, of 3-
23 2, granted Mr. Wineman [sic] a Home Arrest. He was released on November
24 9, 2016. He's currently noted on Home Arrest, which still classifies him as an
25 inmate under intensive supervision of the Arizona Department of Corrections.

1
2 At this time, the Board will go into discussion. It may sound as we're talking
3 to some of you, but we're not. It's the three of us talking to each other. We
4 wanna ask everyone else to remain quiet. And again, I'm gonna ask that each
5 of us be on our best professional behavior during this discussion. And
6 following this discussion the Board will make a determination regarding the
7 request that has been presen, presented to it today. Now the Board is in
8 discussion. I'm gonna ask one of my Board Members to speak first, because
9 I've had the opportunity to speak in the past, also had the opportunity to vote
10 in the past, and, uh, we have two relatively new Board Members, who've not
11 had the opportunity to speak on this before, I wanna see which of them might
12 want to volunteer to speak first. Mr. Qiwones [sic], Sir.

13
14 **Louis Quinonez:**

15 Thank you. Mr. Chair, and I'll keep it, uh, simple. Again, as I mentioned earlier,
16 the Board exists to consider clemency and the laws of Arizona with respect to
17 public safety interests, victims, and rights of inmates. As one voting Member,
18 I find the Arizona Executive Board of Clemency's past decision to grant Home
19 Arrest considerably lenient. I think we need more time to monitor Mr.
20 Wideman's transition be, before we can grant the greater latitude of General
21 Parole. I believe we owe this to the people of Arizona.

22
23 **C.T. Wright:**

24 Thank you so much, Sir.
25

1 [Wright and Johnson talking over each other]

2

3 **C.T. Wright:**

4 Mr. Johnson.

5

6 **Michael Johnson:**

7 If you just give me one minute, I'm just trying to just fast-track through these
8 notes.

9

10 **C.T. Wright:**

11 Yes, Sir. I'm gonna give you as much time as you need.

12

13 **Michael Johnson:**

14 Thank you, Sir.

15

16 [Very long pause; noises of paper shuffling].

17

18 **Michael Johnson:**

19 OK, Dr. Wright. I have

20

21 **C.T. Wright:**

22 Mr. Johnson, Sir.

23

24 **Michael Johnson:**

25 I have to say that this has been, um, a lotta things to, to actually, uh, go

1 through. Uh, I find that, um, looking back over all of the, uh, paperwork that,
2 that we've had, that there's been a history, um, uh, of criminal behavior where
3 the charges were filed or not filed leading up to this that, uh, the Defendant
4 doing his pre-sentence, well, I shouldn't call it that, uh, Mr. Wideman doing
5 the pre-sentence interview, uh, has, has stated that, uh, he had some
6 problems in, in handling some different types of behavior pattern. But, uh,
7 more alarming to me is that, uh, in the beginning of his pre-sentence report,
8 'cause I haven't been involved in some of the other issues, when this incident
9 first happening, uh, he turned himself in and came back to Arizona, and was
10 released to his parents that, uh, something that, that really upset Mr.
11 Wideman was that he was taken back home and put into a secure mental
12 institution, which he was highly upset about because he felt that, uh, his
13 parents, uh, was showing a difference between him and his other siblings, and
14 he felt that, uh, he should have been home with his parents instead of being
15 placed in a, a secure, uh, institution.

16
17 Also, uh, in the pre-sentence report the State said, you know, he's in one
18 institution and went into another one, and then, uh, as a result of that he, uh,
19 was involved in a physical altercation, and, which he described as a free-for-
20 all, uh, and then was placed in another, uh, institution. However, uh, he was
21 arrested and charged with assault as a juvenile; that charges were dropped,
22 uh, which allowed the time, uh, to transfer him to another, uh, institution.

23
24 And the, in the report, uh, that happened here in Phoenix with, uh, Mr.
25 Wideman is currently charged with, uh, the, this was a, I believe it was a

1 heinous act, that the victim was in his sleep when it happened, that there was
2 no provocation, or no reason, uh, to provoke this type of behavior, matter of
3 fact in the pre-sentence report it actually stated that the victim, that Mr.
4 Wideman liked the victim 'cause he reminded him somewhat of himself, uh,
5 having picked on or, or, people, so he took to friends with him, so this victim
6 really, um, looked at Mr. Wideman as a, as a friend. The fact that, uh, this has
7 been happening, when is, when it's been happening, uh, was a surprise to the
8 family, um, and I'm trying to just go through so make sure I get it right.

9
10 [Pause; paper shuffling noises]

11
12 In one of the reports, uh, it also stated that, uh, pretty much, uh, Mr.
13 Wideman's parents, uh, were shocked at this, this event had taken place, that
14 their son could be involved in, uh, this type of behavior, taking, uh, someone
15 else's life. And all of the psychiatric, psychological, uh, reports that I can see,
16 and, and the end results of 'em, um, really, uh, all basically state that, uh,
17 there's a history of, uh, behavioral problems and that, um, without any severe,
18 um, behavioral counseling and supervision that, uh, he would have a, a hard
19 time adjusting to, to society, because these are just behavioral personalities
20 and changes in personality, and I wanna, uh, read, uh, just one of the opinions
21 from, uh, Dr., uh, Jeffrey D. Harrison, who's a clinical psychologist, and I don't
22 wanna just put it my own words, I just wanna read this, if it's OK, Dr. Wright?

23
24 **Wright:**

25 Yes, Sir.

1
2 **Johnson:**

3 It says:

4 "It is the opinion of this evaluator that Mr. Wideman is probably
5 treatable given the proper circumstances. He would require
6 intense and extenin', extended, meaning two to four years of
7 individual and fam, family therapy. This would require an in-
8 patient facility, unless he were discharged to an independent
9 living or half-way house that provided supervision while, uh, re,
10 re-entered the mainstream of society. It is absolutely essential
11 that there be strong external controls on Mr. Wideman during
12 the entire period of rehabilitation. [Pause]. Mr. Wideman, Mr.
13 Wideman does possess, uh, positive attributes and skills that
14 may make re-structuring of his personality disorder possible.
15 The psychologic community appears divided on this issue on
16 whether or not person, personalities can be re-structured, and
17 characteristically disorders, even treated, the most optimistic
18 opinion is that treatment personalities disorder is very difficult
19 task extremely limited, often with limited behavioral results."

20
21 And this was kind of, uh, of, of the three to four, uh, psychological
22 evaluations that was in the report, they pretty much all basically, uh, came
23 to the decision that there was some personality disorders. And that those
24 personality disorders are very, uh, hard and, and very difficult to treat, and
25 without any intensive, as he said at least two, uh, to four years, this was

1 basically, uh, throughout the psychological reports that has been done, I
2 think that, uh, according to Mr. Wiseman [sic], Wideman, [pause] that he
3 [noises of paper shuffling], you have to excuse me I have a bunch of different
4 notes, consider the purpose to, uh, actually be out there, he's been able to
5 establish some strong relationships and, uh, resources within, uh, himself,
6 but there's been no behavioral, uh, real therapy that, that needed to be
7 done, that is definitely, according to this report and all the information that's
8 in the report, uh, a personality disorder, because of that personality disorder,
9 uh, Dr. Wright, I cannot, uh, uh, I cannot agree to, uh, the decision of the
10 previous Board has actually stated that the terms and conditions of his, uh,
11 supervision at this time, I think it was lenient, but, uh, I don't see any, uh,
12 reason, and I think in the best interests, I'm not a, a doctor, I'm not a
13 psychologist, but based on the information that's in this report, I think it is in
14 the best interests of the community that Mr. Wideman remain under the
15 current, uh, restrictions that he has, and under the current decision that the
16 Board, uh, has made, with all of the same, uh, stipulations as, uh, stipulated
17 by the previous Board.

18
19 **C.T. Wright:**

20 Thank you, Sir. I'm gonna terminate [sic] my, uh, discussion short as well. I
21 think that, uh, all of us recognize the same thing. The crime itself is
22 despicable, that was back in 1986. I think that as we move forward from '86
23 to '16, now to '17 this Board has had to make determination what was in the
24 best interests of the citizens of the state of Arizona, as well as what was,
25 what was is in the best interests of Mr. Wineman [sic], what was in the best

1 interests of the victims. The Board made its determination known about six
2 months ago, a little more than six months ago. I think the record speaks for
3 itself; I voted at that time. However, just for those of you who may not know,
4 I voted against Home Arrest at that time. However, at that time with five
5 Board Members being present, the decision of the majority, group, and this
6 was, and is, the decision that the Board made at that time. I think that
7 question that, question that, uh, we must not forget, what I read earlier, I'm
8 gonna read it again, I'm speaking of Mr. Wineman [sic], that he falls under
9 statutory language that states "the Board shall authorize release of the
10 applicant, if it appears to the Board, in its sole discretion that there is a
11 probability that the applicant will remain at liberty without violatin' the
12 laws." And this is a question that we have to ask today.

13
14 I am conscious of the fact that there were those present today who made,
15 uh, comments, much of which has, none of it which has been presented to
16 the Board as of this moment. The Board really looks at several issues when
17 it makes its determination, but this is a Home Arrest, of course we look at
18 the offense itself, of course we look at what happened in prison, but since
19 Home Arrest has already taken place, the Board depends very heavily upon
20 what it learns in this setting today. And before coming in the room today,
21 this Board depends very heavily, I shouldn't say very heavily, but it does,
22 upon the assessment, the progress report, that's presented to it by the
23 Department of Corrections. I think all of you who are familiar with the State
24 of Arizona. This Board does not have the ability to conduct its own
25 independent assessment. We depend upon information presented to this

1 Board. Not only for this, for Mr. Wineman [sic], not only for this purpose,
2 but we depend upon information that is presented. And I believe that if
3 there is other information that needs to be presented to the Department of
4 Corrections, or to others, please feel free to make that presentation. But,
5 we're here today to make that determination, what would be the decision of
6 this Board.

7
8 I think that in listening to my colleagues, and listening to everything that has
9 been said today, I think that it behooves this Board to vote, we do not know
10 how any individual Board Member will vote, at this particular time. We have
11 no idea, have no idea whatsoever. We will only know once the vote is cast.
12 Therefore, Board Members, is there any further discussion at this time?
13 Hearing no further discussion at this time, I'm gonna make a motion

14
15 **Michael Johnson:**

16 Dr., can I just

17
18 **C.T. Wright:**

19 Yes, Sir.

20
21 **Michael Johnson:**

22 I was trying to find that statement, that I know I had wrote it down, but I did
23 just wanna just make sure that, at least for myself, uh, which has a lot, my
24 decision has a lot to do with the behavioral patterning, that even in the pre-
25 sentence report there's a statement in there uh, when the parents were

1 interviewed, and they said in that interview that no way to participate [sic]
2 this type of behavior, their son's actions remain a mystery. And, and that has
3 a huge impact on the, on the behavior, because this is the same things that,
4 uh, the psychologists were actually saying throughout the hearings, that, uh,
5 there's no way to anticipate, uh, the behavior in the personality, uh, pattern.
6 And I just wanted to make sure, 'cause I was lookin' for that, I wanted to
7 make sure to put that in. Thank you.

8
9 **C.T. Wright:**

10 OK. Thank you so much, Sir. Therefore, any further discussion by Board
11 Members?

12
13 **Louis Quinonez:**

14 No, Mr. Chair.

15
16 **C.T. Wright:**

17 For information for those who are present, the decision of the Board today
18 will be a unanimous decision, if it is not a unanimous decision, because we
19 only have three Board Members today. If we had five Board Members as we
20 did before, then it might be a majority, but we only have three Board
21 Members present, therefore this will be a unanimous decision, we'll see
22 what happens. If there's no further discussion by Board Members then I'm
23 going to offer a motion. And my motion is gonna be very simple. And it is to
24 continue Mr. Wineman [sic] on Home Arrest with the, uh, conditions that
25 was presented at the last Board Meeting, uh, [unclear] Mr. Wineman [sic]

1 and that was placed on record on September 22nd, 2016. I further move to
2 deny General Parole or Absolute Discharge. That is my motion.

3
4 **Louis Quinonez:**

5 Second.

6
7 **Michael Johnson:**

8 I agree, Dr.

9
10 **C.T. Wright:**

11 Thank you. By the unanimous determination of this Board Mr. Wineman [sic]
12 will be, will continue on Home Arrest, under the same conditions that was
13 placed upon him back in September of last year. Ladies and Gentlemen, this
14 hearing is over. Thanks for your participation. Thank you. Those on the
15 phone, thank you for [unclear]. The Board will stand in recess until 1 p.m.
16 this afternoon, when we will do commutation, uh, uh, revocation hearings at
17 that time. Thank you.