

1 NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
2 BOARD OF PAROLE

3 *****

4 PAROLE BOARD INTERVIEW

5 In the Matter of

6 **MARK D. CHAPMAN**

7 DIN NO. 81A3860

8 NYSID NO. 04651382Z

9 *****

10 TYPE OF INTERVIEW: Reappearance

11 LOCATION: Wende Correctional Facility

12 Video-conferenced to
13 Rochester Area Office
14 350 South Avenue
Rochester, New York 14620

15 DATE: Wednesday, August 20th, 2014

16

17 BEFORE: COMMISSIONER W. WILLIAM SMITH, JR.
18 COMMISSIONER MARC A. COPPOLA
19 COMMISSIONER JULIE SMITH

19

20 ALSO PRESENT: Jeffrey Helf, SORC
21 Carol Hills, KBS1

22 HEARING REPORTER: Carrie A. Fisher
23

24

25

1 EXAMINATION BY COMMISSIONER J. SMITH:

2 Q Good morning, sir. Would you state your name for the
3 record, please?

4 A Mark Chapman.

5 Q Good morning, Mr. Chapman. I am Commissioner Julie
6 Smith. I am joined today by Commissioner William Smith
7 and Commissioner Coppola.

8 COMMISSIONER COPPOLA: Hello, sir.

9 COMMISSIONER W. SMITH: Hello.

10 THE INMATE: Good morning.

11 Q Good morning, sir. I believe you have seen both
12 Commissioners Smith and Coppola over the years, but this
13 is a new board and a new day, okay?

14 A Yes, ma'am.

15 Q All right. You are reappearing before us today. This
16 appears to be your eighth appearance before the Board of
17 Parole; is that correct?

18 A That's correct.

19 Q All right. You're presently incarcerated 20 to life
20 following a plea to murder second out of New York. We
21 have your sentencing minutes on file. The instant
22 offense dates back to December of 1980 so we're coming
23 up on 34 years ago. You are accused and have been
24 convicted of shooting to death an individual,
25 specifically [REDACTED] and throughout the day

1 preceding that you appeared to have encountered him in
2 other situations; is that correct?

3 A Yes, ma'am.

4 Q Okay. Now, I know we have a lot of information in the
5 file, a lot of the stuff has been discussed at prior
6 boards, a lot of things we won't go over again because
7 we do have the information here. For my knowledge, why
8 did you do this?

9 A I was confused. I needed a lot of attention at that
10 time, and I took it out on him. It became very
11 notorious, and unfortunately I wasn't the only one
12 involved. There was a lot of people that were caused
13 great pain which I am sorry about. They still have pain
14 today, and that's why I am sitting here.

15 Q Absolutely. The community outpouring of support for the
16 victim as a person and his family has been tremendous
17 over the years.

18 A It still is. I still get letters.

19 Q Now, you say you were confused. Confused about what?

20 A My life had sunk into a depressed state. I was
21 drinking. I just saw that as my way out, you know, a
22 lazy way out of my doldrums. It was a horrible
23 decision, but I knew what I was doing. There was no
24 question about it. That's why I pled guilty. But
25 earlier on, I had a chance to turn it around which I am

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1 sure you read before.

2 Q I did.

3 A I did have a chance to turn it around, and I did not

4 choose that so I am guilty for what I did, absolutely.

5 Q So you said you had a chance --

6 A It was a very selfish thing.

7 Q Okay. You said you had a chance to turn it around.

8 A I did.

9 Q You actually encountered him earlier in the day.

10 A Yes.

11 Q He was kind to you. I believe he signed an album for

12 you?

13 A Yes, he did. He was very kind.

14 Q What were you looking to get? What was the real

15 purpose? You say you wanted to get out of your

16 doldrums, why kill someone?

17 A I had extremely selfish motives for my own self-glory.

18 That's about the best way I can say it. [REDACTED]

19 [REDACTED]

20 [REDACTED]. I could have turned it

21 around, didn't do it.

22 Q So there is some notoriety for you in doing this.

23 A Yes.

24 Q Okay, but why not doing something positive? If you

25 wanted some notoriety in your life, you could have done

1 something positive, you know?

2 A I try to do positive things through my life. I got
3 depressed. Drinking was part of it. Isolating myself
4 from my family and friends was part of it. [REDACTED]

5 [REDACTED] but, you
6 know, [REDACTED]

7 [REDACTED] There were others reasons for me being there
8 other than, you know, killing someone. I just maybe
9 wanted to end it all for me. I was suicidal earlier.

10 Once again, I am not trying to make excuses. I was
11 there, I did it, I could have turned it around, and I
12 didn't choose to do that. That bright light of fame, of
13 infamy, notoriety was there. I couldn't resist it. My
14 self-esteem was shot, and I was looking for an easy way
15 out. It was a bad way out but it was the way I chose,
16 and it was horrible.

17 Q Now, the events leading up to this murder, I believe you
18 were living in Hawaii preceding this?

19 A Yes.

20 Q So how many times had you come to New York City because
21 this takes some planning? You stalked [REDACTED]

22 A Incredible planning, absolutely, incredible stalking,
23 very well thought out. I came I believe three months
24 earlier to see if he was at the building, at the Dakota.
25 I determined he was. At that time, I was able to turn

1 it around. I called my wife from New York, and I said
2 this is what I have come to do. She didn't know, but I
3 said I have turned it around and am coming home. She
4 said come home right away, please. Of course I did, and
5 the thoughts subsided for awhile. Then they started
6 building again, and then I made plans to come once again
7 to New York and find him and kill him.

8 Q Okay. So when you returned home to Hawaii, after you
9 told your wife what your purpose was in New York City,
10 did you --

11 A Yes.

12 Q Did she try to get you any help? Did you think about
13 going to counseling?

14 A Well, I did and I signed up for the [REDACTED]
15 [REDACTED]. They said that there was a backup and
16 they couldn't see me, so I did make some efforts. I
17 convinced her -- you know, we were both in our 20s, and
18 she was rather naïve. I convinced her that everything
19 was okay and that I had thrown the gun away. I showed
20 it to her, and then told her I was going to throw it
21 away which I didn't and, you know, she didn't know. She
22 didn't have a clue.

23 Q And how did you afford the airfare to come to New York
24 so many times from Hawaii? I mean even though it was
25 years ago, it still wasn't cheap.

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1 A Not cheap. I believe we had an art piece, a Norman
2 Rockwell piece that we sold. I was supposed to give the
3 money back to her dad, my father-in-law, and I didn't do
4 it. I took that money and used that for airfare and
5 hotels and things like that.

6 Q And when you came then the second time to actually
7 commit the murder, did she know you were coming at that
8 time?

9 A Yes. I told her I was coming to New York to write a
10 book, a children's book, and that I kind of needed space
11 to find myself and she believed me. She really did. I
12 think if she would have thought otherwise she would have
13 stopped somebody or called somebody. I was very
14 convincing. This wasn't a, you know, naïve crime. It
15 was a serious, well thought out crime.

16 Q Oh, absolutely.

17 A No question about it.

18 Q Absolutely. You definitely planned and, like I said,
19 stalked [REDACTED]. I know that you had purchased the
20 revolver in Hawaii I believe?

21 A Yes.

22 Q Okay. And where did you get the bullets from?

23 A I had flown to Atlanta I believe on the first trip, and
24 I knew a police officer there. He had been a friend of
25 mine. He knew I was coming to New York. I didn't tell

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1 him anything about the crime, and I told him I couldn't
2 get bullets in New York which is true at the time and
3 still is. I told him I had the gun but I couldn't get
4 bullets, and I needed protection while I was in New
5 York. He gave me five bullets. I put them in the gun
6 and put the gun in my carry on bag I believe -- or, no,
7 it went in the belly of the plane so that's where I got
8 the bullets from a police officer ironically.

9 Q I am sorry?

10 A Ironically from a police officer.

11 Q Now, you speak about your wife. Is she still in Hawaii?

12 A Yes.

13 Q All right. And how often does she get to see you?

14 A She is coming this year. She came last year. We just
15 celebrated our 35th wedding anniversary. I can't
16 believe she has stuck with me all these years but she
17 has. We're closer to the Lord now than we were on the
18 street so I am going to credit him with keeping our
19 marriage together and our sanity, but she is still with
20 me. For our anniversary, I have got her a gold cross
21 with a ruby heart in the center and it's not, you know,
22 just to say thank you honey. It's to tell God thank you
23 for his love for us, for sticking with us.

24 Q Okay. Now, I see this is your only offense of record;
25 is that correct?

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- 1 A Yes.
- 2 Q Quite a jump from a law abiding citizen, would you
3 agree?
- 4 A Well, quite a leap, yeah.
- 5 Q And I see there has been no tickets of noteworthiness
6 since '94. I know you have involuntary protective
7 custody presently?
- 8 A Yes, yes.
- 9 Q Now, your COMPAS risk assessment, you're familiar with
10 that. It has you at a low risk of violence, arrest, and
11 absconding. That's largely because you have been locked
12 up for a very long period of time, and this is your only
13 crime of record so there is not a pattern to be
14 established to assess your risk level necessarily.
15 Nonetheless, as the judge said, it was an intentional
16 crime. It was contemplated, planned, and executed, and
17 you knew what would happen, right?
- 18 A Yes, I did.
- 19 Q You knew you were going to kill him, not just injure
20 him, correct?
- 21 A No, not at all.
- 22 Q Okay. Now, we spoke about the community opposition to
23 your release. Do you think your life might be in danger
24 in the community if you were released?
- 25 A I don't know. I would imagine there is some risk there.

1 There is some people out there that might want to harm
2 me, but I leave it in God's hands. He kept Daniel in
3 the lion's den, he will keep me. I trust him. If that
4 could happen sometime in the future, I will still trust
5 him.

6 Q Okay. Now, if you were released, where would you live?

7 A [REDACTED]. I don't think I could leave the state
8 of New York without any kind of prior approval.

9 Q Okay. And what kind of residence are you looking to go
10 to, where would you go?

11 A Well, there is a minister here who has agreed to take me
12 in, give me a job, and he did last time I was here at
13 the board.

14 Q I believe he lived in [REDACTED], was it?

15 A [REDACTED]. He is well established in the area, and he is a
16 good man, very well respected.

17 Q Okay. And you have obviously not worked in a number of
18 years. Can you work in the community?

19 A Sure, I have a job now.

20 Q Doing?

21 A I fix wheelchairs. I picked up a skill there. I am a
22 hard worker. I have three jobs here at the facility. I
23 am the clerk in the block. I am also a porter. I like
24 to work. I have been working since after -- I did ten
25 years in the cell, then they let me out and I have been

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1 working ever since.

2 Q Okay.

3 A I know how to work.

4 Q That's good.

5 A I am not afraid of it.

6 Q What if you needed notoriety in the future?

7 A Got enough of that. I don't need anymore.

8 Q Well some people, you know, thrive on things, keep
9 getting involved.

10 A I haven't had an interview in 24 years, and believe me
11 they come. It's not my interest anymore at all. I am
12 interested in one thing and that's ministering to
13 prisoners. Me and my wife have a ministry. We
14 distribute brochures that tell people about Christ.
15 These kids coming in now, they can have an option. They
16 don't have to go to the gangs. They can find another
17 way of life. That's what we're into now. We have been
18 for a long time. That's where my heart is. Believe me,
19 I am not interested in any press whatsoever at all, and
20 there has been many times where I could have and very
21 recently too. I won't mention names, but you would be
22 surprised.

23 Q Oh, absolutely, absolutely.

24 A It's not happening.

25 Q Now, we have -- of course, I spoke about community

1 opposition. We also have letters of support on your
2 behalf. I do not want to devalue those. There is
3 numerous letters in here over the years, people speaking
4 on your behalf. The most recent was in July of this
5 year from the [REDACTED] in
6 [REDACTED]?

7 A Yes.

8 Q And how do you know the pastor there, sir? I see he has
9 written many times. Do you have personal knowledge of
10 him?

11 A Yes, I do. I am going to meet with him in a number of
12 weeks. When I was first arrested, he wrote to me and at
13 that time for a year or so I wasn't interested in
14 corresponding with anyone. I was going through
15 obviously a lot of changes, but about a year and a half
16 later I wrote him and so that makes about 33 years now
17 we have been together. He is a good man.

18 Q He said he has probably received well over 500 letters
19 from you.

20 A I don't remember writing that many, but it could have
21 been through the years.

22 Q I am just quoting what he put in his letter here. He
23 says he has visited you, and you talk on the phone with
24 him.

25 A Every week. We're talking on the phone tonight.

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1 Q All right. And how is your wife?

2 A She is fantastic.

3 Q Okay. I mean is she well?

4 A Oh, yeah, yeah. She just lost her mom, but she is doing
5 okay.

6 Q All right. [REDACTED], sir?

7 A Good, good. [REDACTED]

8 [REDACTED].

9 Q Okay.

10 A [REDACTED].

11 Q All right. [REDACTED]?

12 A Yes.

13 Q All right. I will ask my fellow commissioners if they
14 have any questions.

15

16 BY COMMISSIONER W. SMITH:

17 Q Mr. Chapman, you had described your current work
18 involvement that you have been involved working with
19 wheelchairs, as a clerk, and a porter. You talked about
20 your [REDACTED]; but your [REDACTED],
21 how would you describe it?

22 A Very good. [REDACTED]
23 [REDACTED]. I was back in work after six weeks.

24 Q Okay. So one of the things as we look at your case,
25 you're physically capable then of doing the same

1 criminal act in terms of firing a weapon and killing
2 someone, correct?

3 A Absolutely physically able to commit another crime.

4 Q One of the things that's unusual about your case as
5 opposed to many homicides is that in most homicides
6 individuals commit the shooting and then flee. In your
7 case, you consciously stayed there.

8 A Yes.

9 Q And basically led to that action because of your desire
10 for which you describe as your either self-glory,
11 infamy, or notoriety, correct?

12 A Yes, sir. Yes, sir.

13 Q And in terms of increasing that, in terms of adding to
14 that notoriety if you will, what would stop you from
15 committing an additional act? I know at your initial
16 interview I think we discussed your intentions to not
17 only or to not kill specifically [REDACTED]. There
18 were three other individuals who have since passed away
19 that were alternate targets.

20 A Yes.

21 Q I believe that was [REDACTED] and
22 [REDACTED] correct?

23 A [REDACTED].

24 Q [REDACTED], that's right. He played [REDACTED].

25 A He played [REDACTED]

1 Q [REDACTED], thank you. So those individuals were
2 also potential targets of yours, right?

3 A They were, they were.

4 Q Why do you think you desired to gain such notoriety?

5 A Just to fill the gap that was in me. I sunk to such a
6 low that I felt I needed that.

7 Q All right.

8 A Since a child, you know, I had always been kind of
9 feeling left out. I don't feel that way anymore, but I
10 did.

11 Q All right.

12 A SO I read a book at a very early age about the Beatles,
13 a Hunter book, a big book at that time. You know, you
14 dream of things like that, you know, maybe I could be
15 somebody important or better. Of course I wasn't
16 thinking about killing anybody at that time.

17 Then when you get distressed and you start pulling
18 back and [REDACTED]

19 [REDACTED] you start thinking outside of the realm of
20 reality and that's what happened. I saw a picture of
21 [REDACTED], and I just said to myself what would happen
22 if I killed him. I remember that, and then the idea
23 just avalanched on me that this is something I am going
24 to have to do. It grabbed ahold of me and wouldn't let
25 go.

1 Q Thank you.

2 COMMISSIONER W. SMITH: Thank you, Commissioner.

3 BY COMMISSIONER COPPOLA:

4 Q Sir, if you were to be released and I think we talked
5 about this and Commissioner Smith, Commissioner Julie
6 Smith, touched on it and you and I talked about this
7 before. One of the concerns with any discretionary
8 release has to be public safety and welfare, would you
9 agree?

10 A Of course, yes, absolutely.

11 Q There are really two components of that. One, what
12 Commissioner Smith had just discussed, the possibility
13 of any inmate committing another crime, could be a
14 property crime, could be a violent crime. The other one
15 is whether or not the release would be compatible with
16 the public safety and welfare of society in that
17 consideration has to be given to what type of
18 environment would be created whether it's retaliation
19 for what you did.

20 A Of course.

21 Q And you and I discussed this, that is it possible that
22 somebody to gain notoriety might try to come after you?

23 A Absolutely. That's a high possibility.

24 Q Now, when you shot [REDACTED], this was in New York
25 City. I forgot the exact time that it was, but I am

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1 sure -- I have been to New York City a number of times.
2 I am sure there was a lot of people around. There was a
3 possibility even though it wasn't part of your plan from
4 what you described, there was a possibility somebody
5 else could have gotten killed, an innocent bystander,
6 somebody that wasn't in your plan; is that correct?

7 A It was late at night, but that's within the realm of
8 possibility, sure.

9 Q And that happens a lot. There is a lot of inmates
10 probably who you have served with that never meant to
11 shoot a certain person or harm a certain person, but it
12 just happened in the course of the crime, right?

13 A Yes.

14 Q One concern I think is possible that somebody coming
15 after you, the media frenzy, and other things upon your
16 release that could create a dangerous scenario.

17 A It could, it could.

18 Q That is not the be all and end all to our decision
19 making process, but it is something that has to be
20 considered. Of course, you know, we don't release
21 people hoping that somebody would harm them, but it is a
22 distinct possibility.

23 We ask many inmates because sometimes in the record
24 it says their possible enemies, people whether they're
25 in the community, people they have had interactions with

1 while they're incarcerated, gang members. Those are
2 listed specifically for two reasons, one, so that the
3 staff and everybody is aware that somebody might come
4 after this person.

5 A Yes.

6 Q And so we take that into consideration along with all of
7 the other things as well, and I just wanted to point
8 that out, that that is something that will be discussed
9 and considered. It will not be the sole issue, you
10 know, for us.

11 A This is your decision, and I respect it. If you feel
12 that I am a threat to somebody else which I assure you I
13 am not, but if you feel that way or if you feel that I
14 would be harmed in any way, I am fine with that. I have
15 no qualms with that at all. You have your job to do. I
16 am here to tell you what happened.

17 Q Okay.

18 A I am not here to plead for my release. I gave up that
19 right years ago.

20 Q How long have you been in protective custody?

21 A Basically my whole -- well, involuntary protective
22 custody.

23 Q Involuntary, yes.

24 A Basically my whole time, yeah, they have kept me
25 isolated.

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- 1 Q Do you have interaction with any other inmates?
- 2 A Sure, I work with other inmates every day.
- 3 Q Okay. But you have not been in general population since
4 you have been incarcerated?
- 5 A Not in general population technically, no, but I have
6 been around other inmates for my whole time.
- 7 Q Okay. Let me ask you, has anyone inside ever threatened
8 you or have you ever felt for any reason whether it's
9 notoriety or somebody was a Beatles fan that they would
10 have harmed you in all of these years?
- 11 A Not really. It's a pretty tight situation.
- 12 Q Okay.
- 13 A Maybe in general population that might be a little more
14 prevalent. I can't honestly say anybody has ever
15 attacked me or threatened me or anything like that, you
16 know.
- 17 Q Okay.
- 18 A You hear shouts sometimes down from the company, but
19 that's just them mouthing off. It isn't a serious
20 threat. Usually when you're right with somebody that's
21 a whole other matter.
- 22 Q Okay.
- 23 A They don't sense any harm from me I don't think.
- 24 Q Okay.
- 25 A But that's a good question.

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1 Q All right, thank you very much.

2 A Thank you.

3

4 BY COMMISSIONER J. SMITH:

5 Q All right, sir. I guess I would just reiterate what we
6 have already talked about, you know, a lot of
7 information for us to consider here, a horrible crime,
8 you know, and a murder is a horrible crime no matter who
9 the victim is.

10 A Period, that's right.

11 Q You take someone away from their family, from a
12 community. In this particular case, you also have the
13 fan base that's added into this. We have talked about
14 this, you know, we have to be concerned with public
15 safety which does include your safety as well and much
16 like when John Kennedy was shot, you know, Jack Ruby
17 then shot Lee Harvey Oswald. It was just a chain
18 reaction.

19 A Yes.

20 Q We would never want further violence to be incurred for
21 anyone, but we do recognize the gravity of the
22 situation, the length of time you have been in, sir.
23 It's a lot of information, like I say, for us to
24 consider. Do you have anything else you want us to know
25 that we have not talked about you feel is important for

1 us?

2 A I am sorry for this crime. You talked about people
3 outside the family, that's another thing that is often
4 on my mind. This wasn't just done to a wife or a
5 family. It was done to a lot of other people, and they
6 still have pain. If for that reason alone you choose to
7 keep me in here, that's a valuable reason. Many, many
8 people loved him. He was a great and talented man, and
9 they are still hurting. I get letters so that's a major
10 factor. It's not a regular crime. This wasn't, you
11 know, a crime of passion.

12 At that time, I wasn't thinking about anybody else,
13 just me but now, you know, obviously through people's
14 letters and through things I hear a lot of people were
15 affected here. I am sorry for causing that type of
16 pain. I am sorry for being such an idiot and choosing
17 the wrong way for glory.

18 I found my peace in Jesus. I know him. He loves
19 me. He has forgiven me. He has helped me in my life
20 like you wouldn't believe. That's where I am at right
21 now.

22 I do want to say this, I assure you this doesn't
23 have -- I am not saying this because I think you're
24 going to let me out. I think we both know what's going
25 to happen here, but I say this because I don't want

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1 anybody to think that I would do another crime. That's
2 just out of the question. My focus is totally -- it
3 isn't on me anymore. God has helped me through the
4 years to see, hey, there is other people in the world.
5 [REDACTED] I am not perfect, still
6 working on some things, [REDACTED] Jesus
7 has helped me see that he loves me, and that's what has
8 made the difference in my life is him. God loves us all
9 whether we're celebrities or not, and he demonstrated
10 his love by sending Christ to us.
11 Q Okay.
12 A So that we could, A, have a good life here and be
13 forgiven for anything we have done so we can have a
14 better life after we go.
15 Q Okay.
16 A That's what I am into now and have been for quite some
17 time.
18 Q And I know you --
19 A Telling people, hey, you have another option. You have
20 Christ.
21 Q Right.
22 A Either crime or Christ, which way do you want to go
23 here. Why do you commit a crime --
24 Q All right, and we understand that, sir.
25 A -- and you should go here.

1 Q We recognize those things. We recognize what you have
2 done since you have been inside, and we will take
3 everything into consideration. We thank you for your
4 time, sir. Best of luck to you.

5 A Sorry I got preachy, but that's what I am about, Jesus.
6 Thank you very much for your time.

7 Q You're most welcome. Have a good day.

8 A You too.

9 Q Thank you.

10

11

INTERVIEW CONCLUDED

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

3 DECISION

4
5 Denied. Hold 24 months. Next appearance 8-2016

6 Parole is denied. After a review of the record and
7 interview, the panel has determined that if released at this
8 time there is a reasonable probability that you would not live
9 and remain at liberty without again violating the law and your
10 release would be incompatible with the welfare of society and
11 would so deprecate the serious nature of the crime as to
12 undermine respect for the law.

13 This decision is based on the following factors:

14 Your instant offense is murder second wherein you stalked and
15 waited for your victim and thereafter shot him multiple times
16 causing his death. This victim had displayed kindness to you
17 earlier in the day, and your actions have devastated a family
18 and those who loved him.

19 Note is made by this board of your sentencing
20 minutes, COMPAS risk assessment, rehabilitative efforts, risk,
21 needs, parole plan, letters of support, disciplinary record,
22 remorse, insight, and all other required factors including
23 community opposition to your release.

24 (All Commissioners concur.)

25

