

PAROLE SUITABILITY HEARING

STATE OF CALIFORNIA

BOARD OF PAROLE HEARINGS

In the matter of the Parole CDC Number: **P80613**
Consideration Hearing of:

RODNEY PATRICK MCNEAL

CALIFORNIA CORRECTIONAL INSTITUTION

TEHACHAPI, CALIFORNIA

09/03/2020

8:58 AM

PANEL PRESENT:

DAVID LONG, Presiding Commissioner

NGA LAM, Deputy Commissioner

OTHERS PRESENT:

RODNEY MCNEAL, Inmate

LAURA SHEPPARD, Attorney for Inmate

CONNIE LASKY, District Attorney

SHANTEL HAYNES, Victim's Daughter

DEANNA BLACKCROW, Victim's Daughter

TERRYLYNN WALKER-YOUELE, Victim's Friend

ANGEL WILCOX, Victim's Niece

CANDICE RICHARDS, Victim's Niece

MICHAEL RAMOS, Victim's Representative

JASON KECK, Victim Advocate

CURTIS RICHARDS, Victim's Brother-in-Law

SUSAN SPOTTEDBEAR, Victim's Sister

VANESSA RICHARDS, Victim's Niece

DESHAWNA WEST, Victim's Niece

UNIDENTIFIED, Correctional Officers

Transcribed by: Evangelyn Cambe

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PROCEEDINGS

1
2 **DEPUTY COMMISSIONER LAM:** All right. We're on record.

3 **PRESIDING COMMISSIONER LONG:** Okay. The date is
4 September 3rd, 2020. The time is approximately 0858 hours.
5 We're conducting this hearing by video conference. Mr.
6 McNeal, can you hear and see me?

7 **INMATE MCNEAL:** Yes, I can.

8 **PRESIDING COMMISSIONER LONG:** If at any time that
9 changes, please let us know and we'll make the necessary
10 adjustments – Mr. McNeal.

11 **INMATE MCNEAL:** It's changing now. You're breaking up.
12 I didn't, I can't understand what you just said.

13 **PRESIDING COMMISSIONER LONG:** Okay. I'd ask, uh, uh,
14 Terrylynn Walker to please mute – okay. Very good. Let's
15 try that again. Um, for the record, I can see and hear
16 you, Mr. McNeal. Commissioner Lam, can you also see and
17 hear Mr. McNeal?

18 **DEPUTY COMMISSIONER LAM:** Yes. Thank you.

19 **PRESIDING COMMISSIONER LONG:** Very good. This is an
20 initial parole suitability hearing for Rodney McNeal, CDCR
21 number P80613, who is present in the BPH Hearing Room at
22 the California Correctional Institution at Tehachapi,
23 California. This hearing is being audio recorded. So, for
24 the purpose of voice identification, I will identify each
25 participant. And when I do, I'll ask each person to state

1 their full name and spell their last name. I'll go first.
2 My name is David Long, L-O-N-G, Commissioner, Board of
3 Parole Hearings, participating by video conference.
4 Commissioner Lam.

5 **DEPUTY COMMISSIONER LAM:** Nga Lam, last name L-A-M,
6 Deputy Commissioner.

7 **PRESIDING COMMISSIONER LONG:** Okay.. state your full
8 name and spell your - give us your CDCR number.

9 **INMATE MCNEAL:** Uh, yeah. My name is Rodney Patrick
10 McNeal. Last name is M-C-N-E-A-L. CDC number is P80613.

11 **PRESIDING COMMISSIONER LONG:** Thank you. And Ms.
12 Sheppard, please identify yourself.

13 **ATTORNEY SHEPPARD:** Laura Sheppard, S-H-E-P-P-A-R-D,
14 Attorney for Mr. McNeal.

15 **PRESIDING COMMISSIONER LONG:** Thank you. And Deputy
16 DA Lasky.

17 **DISTRICT ATTORNEY LASKY:** Connie Lasky, L-A-S-K-Y,
18 Deputy District Attorney for San Bernardino County.

19 **PRESIDING COMMISSIONER LONG:** Okay. Very good. And,
20 um, Shantel Haynes, please identify yourself and your
21 relationship to the victim, and spell your last name for
22 us.

23 **VNOK HAYNES:** Uh, my name is Shantel Haynes. Last
24 name is H-A-Y-N-E-S. I am the daughter of Debra McNeal.

25 **PRESIDING COMMISSIONER LONG:** Thank you. Deanna

1 BlackCrow.

2 **VNOK BLACKCROW:** Hi. Yes, I'm Deanna BlackCrow, D-
3 E-A-N-N-A, BlackCrow, B-L-A-C-K-C-R-O-W. Um, I am the
4 daughter of Debra BlackCrow.

5 **PRESIDING COMMISSIONER LONG:** Thank you. And, uh,
6 Terrylynn, please identify yourself.

7 **VNOK WALKER-YOUEPELE:** Yes, my name is Terrylynn
8 Walker-Youpele. Last name is Y-O-U-P-E-L-E.

9 **PRESIDING COMMISSIONER LONG:** Thank you. And, uh,
10 Angel Wilcox.

11 **VNOK WILCOX:** Hi, I'm Angel Wilcox, A-N-G-E-L W-I-L-
12 C-O-X, and she's my aunt.

13 **PRESIDING COMMISSIONER LONG:** Thank you. Candice
14 Richards, please.

15 **VNOK CANDICE RICHARDS:** Hi, I'm Candice Richards.
16 I'm the niece of Debra. My last name is R-I-C-H-A-R-D-S.

17 **PRESIDING COMMISSIONER LONG:** Thank you. Michael
18 Ramos.

19 **VICTIM'S REPRESENTATIVE RAMOS:** Yes. Michael
20 Ramos, last name R-A-M-O-S.

21 **PRESIDING COMMISSIONER LONG:** And Mr. Ramos, your
22 representative for who today?

23 **VICTIM'S REPRESENTATIVE RAMOS:** I'm representing
24 the family. I was the trial lawyer in this matter and was
25 the elected DA during his appeals.

1 **PRESIDING COMMISSIONER LONG:** Thank you.

2 **ATTORNEY SHEPPARD:** Commissioner, I'm sorry, but I
3 have to object. There's a strict board rule about one DA
4 per hearing. Um, and they're, they're trying to bring in a
5 second DA by representing him as part of the VNOK's?

6 **PRESIDING COMMISSIONER LONG:** As a support person or
7 representative, yeah. Representative for the VNOK's. Mr.
8 Ramos...

9 **VNOK WILCOX:** Mr. Ramos is actually no longer a DA.

10 **VICTIM'S REPRESENTATIVE RAMOS:** No, I'm retired.

11 **ATTORNEY SHEPPARD:** Okay. Well, I guess that in my
12 opinion still violates the spirit of the rule, but perhaps
13 not the letter of the rule.

14 **PRESIDING COMMISSIONER LONG:** So, uh, Mr. Ramos,
15 you'll be speaking about the impact of the crime, not
16 retrying the case in your, in your, uh, statement,
17 correct?

18 **VICTIM'S REPRESENTATIVE RAMOS:** The impact only.

19 **PRESIDING COMMISSIONER LONG:** Very good. Vanessa
20 Richards, please identify yourself. Is Vanessa Richards
21 there? It appears as though we've lost Vanessa Richards.
22 Oh, she's been muted, she says. Okay. Deputy DA Lasky, I
23 don't have, it doesn't look like I have the ability to
24 unmute her.

25 **DEPUTY COMMISSIONER LAM:** I think she has to unmute

1 herself because, uh, we didn't control the mute.

2 **DISTRICT ATTORNEY LASKY:** I'm, I'm texting with her
3 right now to see. I can't find her on. She appears to be
4 paused. I don't know what that means. There's a little
5 pause icon over her. Um, I actually did that accidentally
6 once.

7 **DEPUTY COMMISSIONER LAM:** Maybe a bad connection?

8 **PRESIDING COMMISSIONER LONG:** She may have to
9 disconnect and reconnect.

10 **DEPUTY COMMISSIONER LAM:** Would you like to go, should
11 we go offline, Commissioner?

12 **PRESIDING COMMISSIONER LONG:** No, I think we'll,
13 we'll interview, uh, we'll, uh, introduce everybody else
14 and then, um, text, uh, Vanessa Richards, ask her if she
15 can disconnect and reconnect.

16 **DISTRICT ATTORNEY LASKY:** I just did.

17 **PRESIDING COMMISSIONER LONG:** Okay. Perfect. So,
18 Jason Keck, please identify yourself.

19 **VICTIM ADVOCATE KECK:** Jason Keck, K-E-C-K, victim
20 advocate with the DA's office, San Bernardino County,
21 support for Ms. Shantel Hayes. Thank you.

22 **PRESIDING COMMISSIONER LONG:** Thank you. And, uh,
23 Curtis Richards, please identify yourself.

24 **VNOK CURTIS RICHARDS:** I'm Curtis Richards. I am
25 the brother-in-law of the victim and I'm the husband of

1 Angela Richards.

2 **PRESIDING COMMISSIONER LONG:** Thank you. And please
3 spell your last name for the record.

4 **VNOK CURTIS RICHARDS:** R-I-C-H-A-R-D-S.

5 **PRESIDING COMMISSIONER LONG:** Thank you, sir. And,
6 uh, Susan, I still have, I'm not sure quite how to
7 pronounce your last name. Could you please state your full
8 name and again, spell your name for the record?

9 **VNOK SPOTTEDBEAR:** My name is Susan Spottedbear, S-
10 P-O-T-T-E-D-B-E-A-R. I am Debra's sister.

11 **PRESIDING COMMISSIONER LONG:** Thank you. I was able
12 to hear you much better this time around. I appreciate
13 that.

14 **VNOK SPOTTEDBEAR:** You're welcome.

15 **PRESIDING COMMISSIONER LONG:** Now, outside of Vanessa
16 Richards, are there any other parties present in any of
17 the rooms that have not identified themselves? Okay. No
18 other parties present. Is Vanessa Richards returned?

19 **DISTRICT ATTORNEY LASKY:** I think I just heard her log
20 off, so.

21 **PRESIDING COMMISSIONER LONG:** Okay. We'll give her a
22 minute here, I guess. Deputy DA Lasky, can you text her
23 and see if she's back in or...?

24 **DISTRICT ATTORNEY LASKY:** Yes, I will.

25 **PRESIDING COMMISSIONER LONG:** Thank you. It looks

1 like somebody just...

2 **VNOK VANESSA RICHARDS:** Hi. This is Vanessa
3 Richards. Um, I was able to get back on the call.

4 **PRESIDING COMMISSIONER LONG:** Excellent. So,
5 Commissioner Lam, we're still on the record, correct?

6 **DEPUTY COMMISSIONER LAM:** We are.

7 **PRESIDING COMMISSIONER LONG:** Very good. Ms.
8 Richards, please state your full name and spell your last
9 name and tell us your relationship to the victim for the
10 record.

11 **VNOK VANESSA RICHARDS:** Vanessa Richards, R-I-C-H-A-
12 R-D-S. Um, I am the victim's niece.

13 **PRESIDING COMMISSIONER LONG:** Thank you. Once again,
14 is there anybody else in any of the rooms that did not
15 identify themselves? Okay, very good. Mr. McNeal, were you
16 able to hear everybody who identified themselves?

17 **INMATE MCNEAL:** Yes, I was.

18 **PRESIDING COMMISSIONER LONG:** Very good. Also,
19 present in the room at CCI are correctional officers who
20 may be relieved from time to time throughout the hearing.
21 As I mentioned, this proceeding is being recorded as
22 mandated by Penal Code Section 3042(b) and will be
23 transcribed as the official record of this hearing. No
24 other recordings are authorized, including the recording
25 available by this video conference software. A violation

1 of this provision may result in exclusion from this or
2 future hearings. Uh, Commissioner Lam, let's take a brief
3 break to check the quality of the audio recording.

4 **DEPUTY COMMISSIONER LAM:** Thank you.

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[RECESS]

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1 **DEPUTY COMMISSIONER LAM:** We're back on record.

2 **PRESIDING COMMISSIONER LONG:** The time is 0910. All
3 parties present prior to the short recess remain on video
4 conference. Mr. McNeal, as this hearing is being conducted
5 by video conference, I'm going to notify you of certain
6 rights that you have and ensure that you want to continue
7 with the hearing today. First, you have a right to be
8 present at the hearing and meet with the Board of Parole
9 Hearing Panel. Do you accept that this video conference
10 satisfies that right?

11 **INMATE MCNEAL:** Yes.

12 **PRESIDING COMMISSIONER LONG:** Very good. And I'd ask
13 maybe if you could speak just a little louder, maybe scoot
14 a little bit closer I think to the screen there, I think
15 we might be able to hear you better. I've got my volume
16 all the way up here. So, um, you also have the right to be
17 represented by an Attorney at your parole consideration
18 hearing. Do you accept that your Attorney's appearance by
19 video conference and your ability to have privileged
20 communications with her by telephone satisfy that right?

21 **INMATE MCNEAL:** Yes.

22 **PRESIDING COMMISSIONER LONG:** Mr. McNeal, it's
23 important for you to understand we're not here to
24 reconsider the findings of the trial or appellate courts,
25 nor are we here to retry your case here today. The Panel

1 accepts the findings of the previous courts as true.
2 Instead, the purpose of today's hearing is to consider
3 whether you're suitable for parole. And in doing so, we'll
4 consider many factors, including your prior criminal
5 history and the life crime itself, your behavior and
6 programming since you've been in prison, your plans if
7 released as well as your responses thus here today. I
8 strongly encourage you to be completely honest with us.
9 Please raise your right hand. Do you solemnly swear or
10 affirm that the testimony you give at this hearing will be
11 the truth, the whole truth and nothing but the truth?

12 **INMATE MCNEAL:** I do.

13 **PRESIDING COMMISSIONER LONG:** Very good. So, Mr.
14 McNeal, you were 27 years old at the time of the crime.
15 You're now 50 years old and you've been down about 23
16 years. Is that right?

17 **INMATE MCNEAL:** That's correct.

18 **PRESIDING COMMISSIONER LONG:** And according to the
19 DECS database and the 1073 dated July 31st, 2020, you have
20 a 12.9 grade point level. Is that accurate?

21 **INMATE MCNEAL:** That's correct.

22 **PRESIDING COMMISSIONER LONG:** Highest score you can
23 get on that test. And according to the 1073, you require
24 eyeglasses. Do you have your eyeglasses with you today?

25 **INMATE MCNEAL:** Uh, no, I do not.

1 **PRESIDING COMMISSIONER LONG:** Do you need them to
2 read?

3 **INMATE MCNEAL:** No, I do not.

4 **PRESIDING COMMISSIONER LONG:** Okay. We do have a
5 magnifier there. If there's something you need to read and
6 you have difficulty with, just let us know and we'll give
7 you a magnifier. How's your hearing? Can you hear
8 everybody okay?

9 **INMATE MCNEAL:** Yeah. You guys break up every now and
10 then, but in general, I can hear you.

11 **PRESIDING COMMISSIONER LONG:** So if we break up and
12 you don't hear something, it's very, very important that
13 you ask us to repeat it because clear communication is
14 paramount for the proceeding. Do you understand?

15 **INMATE MCNEAL:** Yes.

16 **PRESIDING COMMISSIONER LONG:** Okay. Very good.
17 There's, uh, somebody is not muted and we're hearing lots
18 of banging going on in the background. I'm not sure who
19 that is. So, I ask everybody to please mute if they're
20 not. Okay. And do you have any difficulty sitting for long
21 periods of time, Mr. McNeal?

22 **INMATE MCNEAL:** No.

23 **PRESIDING COMMISSIONER LONG:** It looks like you have
24 a high school diploma and a BS degree in criminal justice,
25 correct?

1 **INMATE MCNEAL:** Uh, BA, yes.

2 **PRESIDING COMMISSIONER LONG:** BA. Okay. Very good.
3 And according to the record, you're not a participant in
4 the mental health services delivery system. Are you taking
5 any medication today that might impact your ability to
6 participate in the hearing?

7 **INMATE MCNEAL:** No.

8 **PRESIDING COMMISSIONER LONG:** Very good. Counsel,
9 based on your client's responses, I don't see any reason
10 why we can't proceed today. Do you concur?

11 **ATTORNEY SHEPPARD:** Yes, I do.

12 **PRESIDING COMMISSIONER LONG:** Very good. Mr. McNeal,
13 we did review your central file and the comprehensive risk
14 assessment conducted by Dr. Carman on June 17th of 2020.
15 We also reviewed your confidential file and we'll advise
16 you in accordance with Title 15 if we rely on that
17 confidential information for our decision today. So, as I
18 look at your, your prior history, you were born and raised
19 in, in Kansas. Uh, you describe yourself as a military
20 brat so, I suspect that means you moved around a lot. Is
21 that correct?

22 **INMATE MCNEAL:** That's correct.

23 **PRESIDING COMMISSIONER LONG:** So, not a lot of
24 stability in the home as far as, uh, as far as moving
25 around, but you denied that there was, uh, any abuse in

1 the house towards you or, uh, your, between your parents.
2 Is that right?

3 **INMATE MCNEAL:** That's correct.

4 **PRESIDING COMMISSIONER LONG:** And you have no history
5 of being involved in gangs or substance abuse. Is that
6 also correct?

7 **INMATE MCNEAL:** That's correct.

8 **PRESIDING COMMISSIONER LONG:** And, um, what else is,
9 uh, not, is unusual for these proceedings? You have no
10 prior arrest history, um, prior to the life crime,
11 correct?

12 **INMATE MCNEAL:** That's correct.

13 **PRESIDING COMMISSIONER LONG:** Um, however, you did
14 admit as, as a youngster, you did steal?

15 **INMATE MCNEAL:** Uh, yes. I had several incidents where
16 I stole as a youth, which you're free to talk about.

17 **PRESIDING COMMISSIONER LONG:** Will you tell us about
18 that?

19 **INMATE MCNEAL:** Um, I, you know, as a, as a juvenile,
20 my family always had, uh, money problems. And, uh, I
21 noticed that my mom was doing illegal acts, stealing from
22 her employers, uh, buying stolen property from people.
23 And, um, I, you know, I was always told that any reason
24 for not being able to have anything was a lack of money.
25 Uh, there was one time in my childhood, uh, I went into a

1 department store and I stole a video game system and I
2 brought it home. And my mother asked me where I got it
3 from. And I see her do so many things. I told her the
4 truth that I, hey, I went in the store and I walked out
5 with it. Well, she didn't take me to the store and make me
6 return it. She then started taking me to stores to steal
7 with her. And, and that started like, uh, the beginning
8 of, I don't know if you want to call it a, I call it a
9 twisted bonding session because I didn't really get that
10 much attention from my mother, but she would take me to
11 steal and that was when I would get the most attention
12 from her. And that continued, I don't know how deep you
13 want me to go, but that continued into my adult life, not
14 necessarily stealing from stores, but taking things from
15 employers sometimes when I was there, uh, committing
16 insurance fraud, uh, things like that. So, uh, I can go
17 further in depth if you have any more specific questions,
18 but there were several incidents of theft throughout my
19 childhood and adult life.

20 **PRESIDING COMMISSIONER LONG:** Okay. And so, um,
21 you've also admitted to committing domestic violence with,
22 uh, both Amber and Debra, correct?

23 **INMATE MCNEAL:** Yes. That's correct.

24 **PRESIDING COMMISSIONER LONG:** Can you tell us about
25 that?

1 **INMATE MCNEAL:** Um, well, I can, I'll start with, um,
2 Amber, who's the mother of my children. Um, there were two
3 incidents of domestic violence with her. Uh, one occurred
4 while we were still together. Uh, I don't remember what
5 the issue was, but we got in argument about something. Uh,
6 I went out to our car to try to leave. She followed me out
7 to the car. I got in the car and I was trying to start the
8 car. She stuck her head into the window and began grabbing
9 for the keys. Uh, well, I got frustrated and I pushed her
10 head out into the window and, um, she pulled her head out
11 and then I, I drove away. Uh, later on when I came back
12 home, I told her that it was an accident that I
13 accidentally pushed her head into the window, but the
14 truth was I was frustrated and angry and I did it on
15 purpose. Uh, that was the first incident with Amber. The
16 second incident was after she and I broke up. Uh, I was
17 living in another, uh, apartment alone and she, uh, she
18 came there thinking that I had another woman in the
19 apartment and, uh, I answered the front door and she stuck
20 her foot in the front door so I couldn't close it. And,
21 uh, for 10, 15 minutes, I, I told her that she needed to
22 leave, that there was no one in there and, uh, she, she
23 wouldn't leave. I couldn't go to the phone and call 911.
24 Um, but again, out of frustration, I pushed her and she
25 fell into a planter in front of my apartment complex. I

1 didn't close the door and I called the police to the, to
2 the residence. Uh, they showed up and they made her leave.
3 Uh, again, you know, again, I, I felt I was frustrated and
4 there was no excuse for doing it, but at the time, I
5 didn't think that was abuse. Uh, in my relationship with
6 Debra, uh, there were probably five or six incidents, uh,
7 of domestic violence. Probably, I would say basically all
8 six of them revolved around, uh, my kids. Uh, Debra would
9 get angry, uh, and didn't want my kids to come over. And
10 when she became angry and I didn't, uh, agree with her,
11 she began to break property. Uh, but I was cold and I was
12 insensitive to her statements and I believe I was so
13 materialistic back then and greedy that, that, that was
14 the only way she could get my attention. I, that's, she
15 probably believed that that was the only way she could get
16 my attention was destroying property because that was
17 probably what she believed and was partially true. What I
18 cared about the most was property and possession. Uh, so,
19 uh, when she began to destroy property, I didn't know how
20 to handle it and I began to restrain her, to hold her down
21 until she calmed down. Uh, I, this isn't appropriate, but,
22 uh, when at work, I was trained to restrain out of
23 control, I worked at juvenile hall in custody, uh, and you
24 know, we were trained like, hey, when a juvenile is out of
25 control, you restrain them. So, I excused my abusive

1 behavior towards Debra by saying that I was restraining
2 her and protecting her from herself or from hurting our
3 unborn child. But there were probably, as I said, five or
4 six incidents where, and it was all behind my children or
5 child support or problems with my ex. And, um, you know, I
6 excused my behavior back then and I didn't think I was
7 abusive. As a matter of fact, I thought I was handling the
8 problems like, uh, very well. I thought that I'm handling
9 an out of control person. I'm doing a good job of it. I
10 was totally blind to the abuse that I was committing
11 against her, uh, and I justified it. I made excuses for my
12 actions like I did on everything back then. Uh, and I was
13 in denial and it took a lot of years for me and self-help
14 groups to understand that even if I didn't hit her, I was
15 still abusive. But now, I understand that I was abusive.
16 And regardless of her behavior, I was responsible for my
17 actions. So, but there were five or six incidents that
18 happened with Debra and they were all around the same
19 issue.

20 **PRESIDING COMMISSIONER LONG:** And, um, at some point,
21 you lost, uh, oh, no, that was much later. Never mind. Uh,
22 your daughter passed away in 2015 due to a seizure,
23 correct?

24 **INMATE MCNEAL:** Correct.

25 **PRESIDING COMMISSIONER LONG:** Sorry to hear that very

1 tragic. Um, so it's kind of inexplicable because you were
2 probation officer, correct?

3 **INMATE MCNEAL:** That's correct.

4 **PRESIDING COMMISSIONER LONG:** So you're working in
5 law enforcement and while you were working in law
6 enforcement, you were still stealing. Is that correct?

7 **INMATE MCNEAL:** Uh, well, uh, while I was working,
8 when I was younger, was majority of, of the stealing.
9 However, there were things that I did even while I was
10 working as a probation officer, such as I didn't steal
11 from employer as a probation officer. However, I was
12 still, uh, you know, morally corrupt and a hypocrite and I
13 still did things such as the insurance fraud. Uh, I mean,
14 I purchased a computer I knew was stolen. Uh, but as far
15 as stealing from the probation department, no. But I was
16 still committing acts of insurance fraud, as I said, and,
17 and, um, purchasing stolen property. And, uh, my behavior
18 and my opinion back then, my, my belief, I justified
19 everything I did. I was in denial. I thought I was, I
20 thought I was just morally corrupt, excuse me, morally
21 upright person. I had a bachelor's degree. I was working
22 on my master's degree. I was 24 years old. I watched my
23 home built from the ground up. So, I had this opinion of
24 myself, this self-inflated opinion of myself, and I made
25 excuses for the things that I did. And even though I was

1 at work judging other people on one hand, on the other
2 hand, I was betraying the community. I was, I was a
3 hypocrite and I'm ashamed of the person I was.

4 **PRESIDING COMMISSIONER LONG:** And you told, uh, Dr.
5 Carman that, uh, at the time, you thought you were better
6 than criminals, uh, but over time, you believe you were
7 actually worse. Is that right?

8 **INMATE MCNEAL:** Exactly for those reasons. I believed,
9 uh, foolishly and incorrectly, that, again, I had a
10 college degree. I had a great job. I was working on my
11 master's degree. I believed I was, I believed I was better
12 than these other people I judge. And after a lot of years
13 of self-help, it came for me to realize that I, I came to
14 realize that I'm worse. For all those reasons that I
15 thought I was better, I realized that I was worse because
16 I should not have been engaging in all those things. I
17 can't claim that I was in a gang. I can't. I was not a
18 drug addict. Every single action I did, I did when I was
19 sober. I was morally corrupt and I was just a criminal and
20 in denial about my own behavior.

21 **PRESIDING COMMISSIONER LONG:** And, um, just for the
22 record, you've never been on probation or parole, correct?

23 **INMATE MCNEAL:** Correct.

24 **PRESIDING COMMISSIONER LONG:** Um, and so, tell me a
25 little more about your relationship with Debra outside of

1 the five to six domestic violence incidents. Um, what was
2 your relationship like?

3 **INMATE MCNEAL:** Um, outside of those incidents, I, I
4 do believe we had a good relationship. I mean, I really
5 loved her. We plan, we plan for our child. Uh, it was not
6 a surprise. Uh, you know, I moved her from Las Vegas to
7 California because I loved her and I planned on spending
8 the rest of my life with her. And, um, you know, I wanted
9 to stay in the relationship despite the problems that we
10 were having with the property and things like that because
11 I believed I love her and I, I believe that her acting out
12 and the destroying the property, that was just due to the
13 hormones of pregnancy. And I believed that afterwards, uh,
14 everything would be fine. And as far as her personality, I
15 loved that she was kind, caring, had a great sense of
16 humor. Uh, I mean, she was smart and, um, you know, we,
17 uh, we had a good time together when it, everything
18 outside of, everything outside of the issues with my ex
19 and child support and my children, uh, everything was
20 fine.

21 **PRESIDING COMMISSIONER LONG:** And, um, that you, you,
22 as you sit here today, are you maintaining, uh, that
23 you're innocent of this life crime?

24 **INMATE MCNEAL:** Yes, I am.

25 **PRESIDING COMMISSIONER LONG:** So, tell me on March

1 10th, 1997, Debra was very upset, so much so she called a
2 friend and asked her to come over. Do you know what she
3 was upset about?

4 **INMATE MCNEAL:** Yeah, absolutely, and I can start the
5 story from, from that morning, waking up. That morning, I
6 woke up. I worked on a paper for, uh, college. Um, I went
7 to work and subsequently, Debra called me at work. And,
8 um, she began talking about, uh, what we had planned to do
9 with our tax return, which was, I think it was we're going
10 to go to take a trip to Las Vegas to visit the kids and
11 things like that. Uh, I, I told her, hey, we're not going
12 to be able to do that because we're going have to replace
13 some of the items now that you've been destroying. Uh,
14 that angered her. That angered her and she said, well, if
15 that's the case, then I'm going to get my money's worth.
16 Uh, I took that to mean that she was going to destroy more
17 property in the house. Um, uh, she hung up. Uh, I heard
18 from her, I don't know how much later that day, but
19 subsequently she called back and she said that, yes, she
20 had destroyed property in the, in the house and, uh, that
21 she was sorry, that she needed help. And, uh, there were a
22 couple of calls back and forth that morning, but the last
23 call from her, she said that she had made an appointment
24 with, uh, Kaiser and that she was going to seek some
25 mental health and ask me would I come home and pick her

1 up, you know, and take her to her doctor's appointment.

2 **PRESIDING COMMISSIONER LONG:** And that was, uh,
3 around 12:30?

4 **INMATE MCNEAL:** Uh, yeah. I was to pick her..

5 **PRESIDING COMMISSIONER LONG:** And you were supposed
6 to pick her up.

7 **INMATE MCNEAL:** 12:30.

8 **PRESIDING COMMISSIONER LONG:** And so, what happened
9 next?

10 **INMATE MCNEAL:** Um, I mean, I was at work. I worked
11 on, I worked on some reports. Um, uh, I mean to get
12 specific, uh, I last saved up the report I was working on
13 at 11:54, uh, and <inaudible> and missed phone calls from
14 my office up until 12:19. Uh, that day, I left the office.
15 I left the office with two other probation officers, uh,
16 Paul, Mike Paganini and Paul Callahan. Um, whose Mike
17 Paganini's phone records also go until 12:16. Uh, we, we
18 left. I went my separate ways to my car and they went on
19 their way. Uh, I drove home. Uh, I arrived home. When I
20 entered the front door, I saw what I believed to be
21 ketchup streaked, streaked across the front entryway,
22 because she had told me that she had destroyed more
23 property so I believed that it was ketchup which was
24 streaked across the floor because the day previously, she
25 had dumped, uh, uh, uh, food out of the refrigerator, so I

1 believed that she had done that again and this was
2 ketchup. Um, uh, you know, I called her name. I looked to
3 see if she was in the living room. I went back into the
4 master bedroom, uh, into the master bathroom and, um,
5 that's, that's where I found her in the bathtub. Uh, there
6 was a penny jar and, uh, and a clothes hamper on top of
7 her. I called her name. I took the items, um, from top of
8 her. I began to pull her out. Um, she was facing towards
9 the drain, laying face forward. I began to pull her out.
10 As I pulled her out, uh, almost to a sitting up position,
11 her, her head came back and I freaked out. I couldn't go
12 anymore. It wasn't because of her weight or anything like
13 that. It was, once I saw her face come back, I couldn't go
14 on anymore. And, uh, I, I went out of the house. I went,
15 well, I went through the master bedroom, but the phone,
16 the house was in disarray, uh, trashed. The phone, the
17 phone was not on the nightstand. And then I went through
18 the, through the kitchen and the phone was missing from
19 its base. The cordless phone was missing from its base.
20 Uh, I went to a neighbor's house right next door, knocked
21 on their door. They didn't answer. Um, I believe then I
22 ran across the street to another neighbors. They didn't
23 answer. Uh, I ran back to the house and back again to that
24 neighbor and banged harder and finally they came out and
25 they called 911. And, um, the police were there in several

1 minutes.

2 **PRESIDING COMMISSIONER LONG:** What did you see when
3 you saw her face?

4 **INMATE MCNEAL:** Um, I mean, that's indescribable. I
5 saw her face, her mouth was, um, partially open and, um,
6 um, uh, of course, her eyes were closed, but when I, when
7 I just saw her face come back, I, it was, I can't describe
8 the feeling. <Inaudible> word in the English language to
9 describe. Shock and fear don't, um, describe it. Um, I
10 just think after seeing that, seeing her face, I couldn't
11 go, I couldn't go on anymore. I couldn't even pull her
12 out. She was only 110 pounds. Um, and, uh, I, I couldn't
13 pull her out and I, I had to go for help. And, uh, I just
14 saw her deceased and I, I couldn't take it.

15 **PRESIDING COMMISSIONER LONG:** You were a hundred
16 percent sure she was not alive at that moment?

17 **INMATE MCNEAL:** Um, I, I was pretty sure, uh, that it
18 came to mind that, that maybe the ketchup, the ketchup
19 where I thought was ketchup was not ketchup. Uh, when I
20 saw her in there and I saw a penny jug and a clothes
21 hamper were on top of her and, uh, she was in the tub. And
22 to this day, I can't remember if there was water in the
23 tub or not. I reached down to grab her and her arms and I
24 can't remember if there was water in the tub or not. But I
25 pulled her out and she was clearly, she was clearly

1 deceased.

2 **PRESIDING COMMISSIONER LONG:** And were there some,
3 some words written on the bathroom mirror?

4 **INMATE MCNEAL:** Um, well, I came to know that later.
5 Uh, I didn't know, I, I didn't see that at the time of the
6 crime, but I came to find out that there was a racial slur
7 written on the mirror, the mirror afterwards, but while I
8 was there, I didn't see that.

9 **PRESIDING COMMISSIONER LONG:** So clearly, the jury
10 did not find your, um, your versions of event compelling.

11 **INMATE MCNEAL:** Correct.

12 **PRESIDING COMMISSIONER LONG:** Why do you think that
13 is?

14 **INMATE MCNEAL:** Well, I believe that the history of
15 domestic violence, uh, the fact that, you know, she, we
16 had argued the day previously, the fact that we had an
17 argument, uh, that day or she, she destroyed property, we
18 had an argument that day, the domestic violence, the
19 criminal activity that I engaged in before. I was supposed
20 to be a probation officer. And during the investigation, I
21 committed insurance fraud. I, I claimed things were
22 missing from my home that were not missing. Uh, I mean,
23 there was physical evidence in the house was evidence from
24 living there. However, it could be interpreted as, uh,
25 signs of guilt. Uh, there was a neighbor across the street

1 who said that she saw my car there at 12:15, which would
2 have been earlier than, uh, than what I said, I, at the
3 time I got there. So, I mean, I had no witnesses. I
4 understand that the husband in the case where the wife
5 gets murdered is the very first suspect. And I gave,
6 through my actions both before and after the murders, as a
7 matter of fact, after the murders, I began dating a woman
8 a few months after. I committed insurance fraud after. It
9 was my actions both before and after the murders that made
10 the detective suspect me and the jury to wrongly convict
11 me. And I cannot blame everyone, including the victim's
12 family, for believing that I am the one responsible for
13 this. And it was my actions that led them to believe that.
14 So, uh, I cannot blame the jury.

15 **PRESIDING COMMISSIONER LONG:** What possessed you to
16 commit insurance fraud? I mean, here, you're a law
17 enforcement professional.

18 **INMATE MCNEAL:** I was a law enforcement professional,
19 however, and I'm not blaming my mother because even as,
20 even as an adult, I made the conscious decision to
21 continue my criminal behavior that I was raised with. But
22 that was something that was, that criminality was
23 normalized for me. Those types of things, especially the
24 insurance fraud. I believe someone once asked me, uh, oh,
25 well, okay, the insurance fraud would, would you have done

1 that? And I'll be honest. It wouldn't have mattered what
2 it was. If Debra was still alive and someone would have
3 broken into my house and just robbed the place, at that
4 time, the way I thought, I would have claimed a bunch of
5 items then too if it was just a burglary at the house.
6 That was something that was not, that was something that
7 was not foreign to me to, to claim something on an
8 insurance case, an insurance case. It wasn't right. It
9 took me a long time. I was raised, I was raised that way
10 and I'm not blaming them. But I made the conscious
11 decision as an adult to continue that because it was
12 normalized for me. And I made the conscious decision and,
13 uh, through a lot of self-help groups, I've had, through
14 step four, actually, of the 12-step program when I did a
15 self-review analysis of myself and it's the first time
16 that I took a mirror up to saw myself in a mirror and saw
17 all the negative traits and all the negative character
18 defects I had. Back then, even though I did that, I still
19 believed I was a great guy. I believed I was an upstanding
20 citizen, even while I did that. Even when I knew that
21 during the investigation that they knew that I had claimed
22 some items that I shouldn't have on my insurance claim, I
23 still, the only thing I was concerned about was keeping my
24 job. I wasn't concerned, I wasn't concerned back then that
25 I should, I should go turn myself in for claiming these

1 items or I should tell the police. All I wanted to do was
2 keep my job because I was delusional and I was denial of
3 who I was and the way I was acting. And I didn't have any
4 remorse for, for the things I did.

5 **PRESIDING COMMISSIONER LONG:** And so, there's really
6 only two options here that I can see. And one is you're
7 innocent as you say. The other one is that you're guilty
8 and a sociopath. How would we know which, which one's
9 true?

10 **INMATE MCNEAL:** Um, well, saying the behavior that
11 I've done in prison does not prove anything. Um, I have
12 always been open and honest and willing to have any
13 investigation done on this case that needs to be done. Uh,
14 we can also say that there are several witnesses outside
15 of me who have come forward and have, uh, come forward to
16 law enforcement or to Attorneys and said that my brother
17 confessed to committing the murder. Uh, these witnesses
18 said things that, these witnesses said things that only my
19 brother could have known because I never shared any of my
20 family problems with anyone else besides him and all of
21 them – when he confessed to them, they all said that he
22 mentioned that the reason why he killed her was the
23 problems that I was having with her in the home. I'd never
24 told anyone but else, never told anyone but my brother
25 about that. So, these witnesses would not even know about

1 the problems that I was having at home, uh, with Debra.

2 **PRESIDING COMMISSIONER LONG:** So let me ask you this.
3 This is the same brother that helped put you through
4 college by selling drugs, right?

5 **INMATE MCNEAL:** He, my brother never helped put me
6 through college. I received Pell Grants to go through
7 college. My brother did not pay a single penny to help put
8 me through college. I received Pell Grants and I worked
9 part time to pay my own way through college and the
10 grants.

11 **PRESIDING COMMISSIONER LONG:** So, I'm trying to
12 connect the dots. If your brother is going to commit a
13 murder to try to help you out, why would he turn around
14 and then let you take the fall for it?

15 **INMATE MCNEAL:** Well, I mean, my belief is that even
16 if he was willing to commit the murder, that doesn't mean
17 he's willing to throw himself to the wolves and, uh, turn
18 himself in and receive life for prison, uh, life in
19 prison. There were things that, that he clearly, he tried
20 to stage the scene, so he was trying to not direct the
21 police toward me. So, he thought he could do what he do
22 and that both of us, neither one of us would be in prison.
23 So, uh, thinking that this, my brother, who was involved
24 in so much criminal activity, is going to turn himself in,
25 uh, he didn't turn himself for the other murders he was

1 arrested for. He didn't turn himself in for what he's in
2 prison for now. Uh, you could say he loved me and if he
3 loved me, I don't think his love goes deep enough to turn
4 himself in for a murder and get life in prison. And yes, I
5 do believe he'd let me go before he turned himself in for,
6 uh, turned himself in and got life in prison.

7 **PRESIDING COMMISSIONER LONG:** So your, your brother,
8 you said he committed other murders?

9 **INMATE MCNEAL:** Yes, that's correct.

10 **PRESIDING COMMISSIONER LONG:** And he was raised in
11 the same house as you, correct?

12 **INMATE MCNEAL:** That's correct.

13 **PRESIDING COMMISSIONER LONG:** So what was different
14 about his path? How did he get on that path living and
15 growing in the same environment that you did?

16 **INMATE MCNEAL:** Um, I, to be honest, I don't know how
17 he got on that, I don't know how he got on that path. Uh,
18 I know after my mother died, he really went off the rails
19 and that, I mean, he's been violent even before my mother
20 died, but after my mother died, it seemed like he went
21 completely off the rails. Uh, he's tried to kill my
22 stepfather. He's, he pulled a gun on the mother of my
23 children. All of these things were not requested by anyone
24 in the family. He, so he's had a violent streak. Uh, he
25 killed the two people that he went to prison for. And at

1 the same time that he was the same person that went to law
2 enforcement and told that Jeff confessed to them about
3 those, the two murders that he was convicted for, this was
4 <inaudible> this guy also told him that he committed the
5 murder that I was in here for. So, he was convicted of the
6 other two murders, uh, the murder that I was in here for,
7 and I'm in California. The other two murders were in Las
8 Vegas. So, uh, he was convicted for two other murders. He
9 was raised in the same house, but, uh, he has an
10 incredible violent streak. I'm not a psychologist so I
11 can't diagnose him, but my sister, she also is not
12 violent. She's not been in prison for violent crimes. So,
13 I can't diagnose him nor explain why he became extremely
14 the violent person that he is.

15 **PRESIDING COMMISSIONER LONG:** Commissioner Lam, do
16 you have any follow-up questions at this point?

17 **DEPUTY COMMISSIONER LAM:** Sorry. Hang on.

18 **PRESIDING COMMISSIONER LONG:** You're on mute.

19 **DEPUTY COMMISSIONER LAM:** Sorry about that. I have a
20 few questions. Thank you.

21 **PRESIDING COMMISSIONER LONG:** Yeah.

22 **DEPUTY COMMISSIONER LAM:** So I'm just sitting here
23 wondering how is it possible that your wife has been
24 brutally murdered and what you worried about is filling
25 out some insurance fraud for two little items? What's that

1 all about?

2 **INMATE MCNEAL:** Well, I, I can't say that, what it's
3 all about is that that was normal for me. That was not,
4 uh, a conscious, well, number one, I have a lack of
5 empathy clearly and evidently, I had a lack of empathy.
6 But when I filled out the insurance claim form, I put down
7 anything I could think of, to be honest. It was not about,
8 uh, I did not connect the dots to even, I had a detachment
9 to say, hey, well, I'm just putting in this insurance
10 claim. It, it wasn't something conscious to say, which it
11 should have been. I should not even be concerned about
12 something about that. But I can't go back and change the
13 person I was. I can admit who I was and admit that I had
14 the lack of empathy, that I didn't care, I committed the
15 insurance fraud clearly and I take responsibility for it.
16 And the truth is, that was, that was normal for me. It
17 didn't matter if it was, uh, my wife had been murdered or
18 my house had just been robbed. I would have had an
19 insurance claim no matter what because that's the person I
20 was. That was just part of normal, hey, insurance claim,
21 throw a few extra items on there. And I know as callous as
22 it is, I had a lack of empathy. I was callous, cold. And
23 like I said, even after the prosecution or detectives
24 figured out that I had thrown on some extra items, the
25 only thing I was concerned about was, was keeping my job.

1 That's what I was concerned about. Uh, I was cold.

2 **DEPUTY COMMISSIONER LAM:** Hang on.

3 **INMATE MCNEAL:** Yes.

4 **DEPUTY COMMISSIONER LAM:** What is this thing that you
5 keep on saying that you were more concerned about keeping
6 your job? What, what does that have to do with anything?

7 **INMATE MCNEAL:** Well, what I mean is that I knew I
8 didn't, I didn't commit the murder, but I knew I committed
9 insurance fraud. So, during the investigation, you know,
10 the police found out that about the insurance fraud. They
11 found out that there were items in the pawn shop in Las
12 Vegas that, that Debra had pawned before, before her
13 death. So, I knew that the police had gone to Las Vegas
14 and found these items in a Las Vegas pawn shop that Debra
15 had pawned. Well, that's what I'm saying. I was cold and I
16 was cold and callous and just, once they found out about
17 that, I knew I had done that.

18 **DEPUTY COMMISSIONER LAM:** Okay.

19 **INMATE MCNEAL:** That I had committed insurance fraud.
20 I knew that I committed insurance fraud so I was concerned
21 about losing my job for insurance fraud, not for murder.
22 So, that's what I mean by when I keep saying I was only
23 concerned about losing my job because I knew, I knew I
24 committed insurance fraud.

25 **DEPUTY COMMISSIONER LAM:** Well, my only point, sir, is

1 I'm thinking a reasonable person whose spouse has just
2 been brutally murdered, the last thing they want to worry
3 about is some little claim and insurance, uh, some little
4 insurance claim.

5 **INMATE MCNEAL:** No. I, I, I totally agree. That's the
6 person I was at that time. I, I totally agree that I
7 should not have been, but now, I can open up and I can
8 talk honestly about the, the immorality, the coldness and
9 callousness that I did have back in those days. Yeah, I
10 shouldn't have been concerned with that. I, that, that
11 shouldn't even have been a thought. I shouldn't even be
12 thinking about an insurance claim period. I, you know, I,
13 I did it. I regret it. Uh, I have remorse from my actions.
14 I've identified the reasons why I was so cold and callous
15 and why I was materialistic and greedy, and I don't have
16 any excuses for that behavior. I can say, I can only tell
17 you that I was, but that's the way I was and I've
18 corrected my, my criminal thinking and my ability to, uh,
19 not, have no empathy for people and not recognize the
20 suffering.

21 **DEPUTY COMMISSIONER LAM:** All right. Um, you've just
22 told the Commissioner that criminality was normalized. Uh,
23 why is it normalized? It sounded like you made it out.
24 You're, you're, you got an upstanding as a probation
25 officer. Why, why is it still normalized? It sounds like

1 you have one foot in both worlds.

2 **INMATE MCNEAL:** And I agree with it. I, I don't want
3 to blame it on my upbringing, although those were
4 influenced. But as an adult, I made the conscious decision
5 to continue to engage in these types of behavior like
6 insurance fraud. Um, and I did have a foot in both worlds
7 because, and I'm not minimizing the criminal things I did,
8 but I would pick and choose. I was not running around
9 everyday, uh, robbing from stores, or, and I'm not saying
10 that's any better. That's part, that was part of my
11 thinking that I was better than other people because of an
12 opportunistic, uh, opportunity came up that was criminal,
13 whether it was insurance fraud, uh, or purchasing stolen
14 property, I would take advantage of, and then I'd go back
15 to work as if I'm this law-abiding citizen. So, I, I was,
16 I did have one foot in criminal world and one foot in law
17 enforcement, and I was judging other people for the things
18 they did when I was going to do the same thing and, and
19 that's why I mentioned that I was worse because I had
20 this, uh, yes, I had this belief that, that, that these
21 things didn't apply to me. And that was my work thinking
22 at the time. And it took a lot of self-help, a lot of
23 years of self-help for me to look at myself as an
24 insecure, immoral criminal that I was rather than looking
25 at myself in denial as an upstanding member of law

1 enforcement with a great job and a great future. It took a
2 lot, a lot of years for me to transfer, transfer my
3 thinking from this image that I had of myself to what I
4 really was.

5 **DEPUTY COMMISSIONER LAM:** All right. Can you talk to
6 me about the wedding ring that was pawned? What was that
7 all about?

8 **INMATE MCNEAL:** Uh, absolutely. Uh, while Debra was in
9 Las Vegas, um, she called me and, uh, the reason why she
10 was in Las Vegas is because her daughter was having, uh, a
11 legal problem, uh, you know, at school and, well, not at
12 school, it was in the courts, but it was behind things
13 that had happened at school.

14 **DEPUTY COMMISSIONER LAM:** I'm sorry. When was this?
15 How many days before the murder?

16 **INMATE MCNEAL:** Oh, this was, uh, well, I mean, as far
17 as her pawning it, it was probably, the pawn was, probably
18 four or five days before the murder or something like
19 that.

20 **DEPUTY COMMISSIONER LAM:** Okay.

21 **INMATE MCNEAL:** Um, so she was in Las Vegas to, uh,
22 help her daughter with the legal issue. Well, uh, I helped
23 her because her daughter was going to see a probation
24 officer who does the same job I do. So, I, you know, I
25 helped her out how she should address those problems. The,

1 the meeting with the probation officer went well in Las
2 Vegas and she called me up asking me, hey, you know what?
3 What do you think about us having a pizza party, me and my
4 kids out here in Las Vegas? And I told her, I said, hey,
5 you know what? Um, that's great. You know, we've helped
6 you with your daughter with the legal problems, but, and
7 I'm not trying to disrespect, um, the victim's family, but
8 the charge was that she had assaulted a teacher at school,
9 her daughter, and I told her, hey, you know what? We got
10 rid of the legal trouble. We kept her with a clean record,
11 but I don't think that she deserves a pizza party for
12 assaulting a teacher. So, I told her, uh, I said, no, we
13 shouldn't spend money on a pizza party for her for
14 assaulting a teacher. Uh, she said, oh, well, okay, well,
15 you know, I'm going to pawn my wedding ring and that's
16 what she did.

17 **DEPUTY COMMISSIONER LAM:** All right. Did that make you
18 angry?

19 **INMATE MCNEAL:** Um, no, not, not particularly. Uh,
20 that didn't make me angry.

21 **DISTRICT ATTORNEY LASKY:** Commissioner, I'm sorry to
22 interrupt. Can we break for, can we pause for one second.
23 Deanna BlackCrow just texted me that she's lost audio, um,
24 so she's trying to get it back.

25 **PRESIDING COMMISSIONER LONG:** Okay. Let's go off the

1 record.

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1 **DEPUTY COMMISSIONER LAM:** We're back on record.

2 **PRESIDING COMMISSIONER LONG:** 0952. All parties
3 present prior to are back on the call, and so, we'll
4 resume. Go ahead, Commissioner Lam.

5 **DEPUTY COMMISSIONER LAM:** Okay. And just for the
6 record, Ms. Lasky said that the, one of the VNOK's was not
7 able to hear the last portion regarding the, the pawned
8 ring. Uh, so just to recap really quick, um, he testified
9 that, I guess he went to Las Vegas to help out the
10 victim's daughter who had some legal problems and, uh, he
11 fixed that. Uh, and then the victim wanted to have a pizza
12 party and, uh, he objected because he felt she didn't
13 deserve a pizza party. Uh, she, the victim got upset and
14 went and pawned the ring. Is that a good summary, sir?

15 **INMATE MCNEAL:** Yeah. That's in a nutshell, yes,
16 that's a good summary.

17 **DEPUTY COMMISSIONER LAM:** Okay. And your testimony is,
18 uh, having defied you and, uh, went against your wishes.
19 It didn't upset you at all that she pawned the ring.

20 **INMATE MCNEAL:** Um, no. I'll be, I mean, I didn't like
21 that but when, when she, when the next time I talked to
22 her, she told me, she said, she called and said, hey, she
23 told me, hey, I pawned the wedding ring. Yeah. Did I like
24 it? No, but that, that was not that big of a deal. And,
25 um, the wedding, pawning the wedding ring, it's not gone

1 forever. I didn't like that but that's not big of a,
2 that's not that big of a deal. I would say that I was, you
3 know, yes, I was a materialistic person. I was a greedy
4 person back then, you know? I grew up, you know, believing
5 that material possessions could be something that could
6 cause a lot of problems in your life. I grew up, we were
7 evicted from houses, uh, so I began to see material
8 possessions as something that could cause a lot of strife
9 in your life. However, that was her wedding ring and it
10 was pawned and I didn't like that for the symbology of it.
11 However, it was not thrown away. Um, the, the destruction
12 of property in the home was more disturbing to me than,
13 than, uh, pawning a wedding ring because of the emotional
14 attachments I had to material possessions, which had
15 happened from me being a child of all the years of going
16 without and my parents telling me that every problem you
17 had was behind not having enough money or not having these
18 possessions or being denied, being able to do things that
19 other kids, uh, had done. So, the wedding ring, to be
20 honest, yes, I did not like that, but, uh, destruction of
21 property in the home was, was, uh, more irritating than
22 the wedding ring would ever be, uh, because of my
23 attachment to material items and believing that not having
24 these material items were cause for great concern in your
25 life.

1 **DEPUTY COMMISSIONER LAM:** Well, that's exactly why I'm
2 asking, sir, because you mentioned that you're very
3 materialistic. This is a gold wedding ring. Is that right?

4 **INMATE MCNEAL:** Absolutely.

5 **DEPUTY COMMISSIONER LAM:** And, and it didn't upset you
6 that she pawned your gold wedding ring that you gave her?

7 **INMATE MCNEAL:** Yeah, yeah, no, I didn't like that,
8 but that was, it was for symbology. She didn't throw it
9 away is what I'm saying. She didn't destroy it. She pawned
10 it, which we, you know, which we were going to get back.
11 That that was not an issue. And that's why I said, I
12 understand what you're saying was I so upset about this
13 wedding ring. I was not so upset about the wedding ring.
14 She didn't destroy it. She pawned it. I didn't like it.
15 However, destroying property in the home was much more
16 disturbing. That was property that was destroyed and gone.
17 The wedding ring, that was temporary. So, the symbology of
18 pawning your wedding ring, that's upsetting. But the, but
19 the way that I thought at the time, the emotional
20 attachment I had with material possessions, the
21 destruction of property in the home was much more
22 disturbing than that. And I was becoming..

23 **DEPUTY COMMISSIONER LAM:** I understand. You said that
24 three times. I got it. No worries. Let's turn, let's turn
25 to the domestic violence between you and the victim

1 because at least in December, three months, three, four
2 months prior to the murder, there were multiple phone
3 calls to the police. Is that correct?

4 **INMATE MCNEAL:** That's correct.

5 **DEPUTY COMMISSIONER LAM:** Okay. So, let's go through
6 them, sir. I have written down here that on 12/10/1996,
7 there was a domestic call. And during that time,
8 apparently, uh, she vandalized some property and you guys
9 were fighting and she bit you. That was the incident. Does
10 that ring a bell?

11 **INMATE MCNEAL:** Um, yes. Everything you said. I don't
12 remember being bitten, but, uh, that sounds correct as far
13 as vandalizing the property and all that. And I don't
14 remember being, uh, bitten.

15 **DEPUTY COMMISSIONER LAM:** Okay.

16 **INMATE MCNEAL:** I don't remember that. That may have
17 happened. I don't remember it though.

18 **DEPUTY COMMISSIONER LAM:** Let me approach it this way.
19 Do you recall every single phone call during that period
20 to the police regarding domestic violence at home?

21 **INMATE MCNEAL:** Um, well, all those, all those
22 incidents, since they were all similar, they kind of blend
23 in, but I, I remember the incidents, but, like, I couldn't
24 tell you which one came first or what's the reasoning
25 behind one.

1 **DEPUTY COMMISSIONER LAM:** I don't need to know which
2 one came first. I just want to see if you can just go
3 laundry list down each one, but if not, let me go through
4 each one and hopefully I'll refresh your memory. So, you
5 don't recall the 12/10/1996 incident that involved
6 vandalism and a lot of, I guess, back and forth where she
7 bit you? You don't recall that?

8 **INMATE MCNEAL:** Okay. I remember vandalism, of course.
9 I'm just saying, I don't remember being bit. I remember
10 there was one time when she, when the police were called,
11 uh, she cut up a bunch of my clothes and, um, yeah, and we
12 ended up calling the police. So, those, that was one
13 incident. Uh, there, there was another incident where, um,
14 she had, uh, as a matter of fact, there's one incident
15 where Shantel was present at the house and she became
16 angry and she grabbed the bat and tried to break out all
17 the windows to the house. Uh, the police were called on
18 that incident. I went outside and tried to catch a cab
19 and, and, uh, leave the scene. There was another incident
20 in which she called the police and said that I was holding
21 her, I was holding her down and I was holding her down.
22 And she also said that I had, uh, taken her purse and I
23 wouldn't give it back to her. So, uh, those were three
24 incidents.

25 **DEPUTY COMMISSIONER LAM:** Okay.

1 **INMATE MCNEAL:** There was another incident – go ahead.

2 **DEPUTY COMMISSIONER LAM:** No, no. Go ahead. There was
3 another incident?

4 **INMATE MCNEAL:** Yeah, there was another, there was
5 another incident where I had purchased a new car, a used
6 car, a new used car, and, uh, she went after that with a
7 bat and I tried to hold her down until she calmed down.
8 And, uh, I don't, I'm not sure if the police were called
9 during that incident, but that, that, uh, that was, that
10 was another incident.

11 **DEPUTY COMMISSIONER LAM:** Okay. Well, let's, let's
12 focus on the January 1997 incident with the purse. When
13 the police came, she said that you took her purse and you
14 wouldn't let her leave. What happened that day?

15 **INMATE MCNEAL:** That's correct. I did take her purse
16 and I would not let her leave, but there's more to the
17 story. Uh, she had began to, she was breaking property
18 around that time as we've all seen. Well, she started
19 saying she was going to take the car and drive the car
20 into a wall and crash the car. So, I did take her purse so
21 she could not have her car key so she couldn't leave. And
22 there was a second time in Las Vegas when she threatened
23 the same thing, the incident in Las Vegas, where she
24 threatened the same thing that she would, she was going to
25 take the car and drive it into a wall. And that's when I

1 went to place where she was staying and I grabbed the car
2 and I moved it. So, so yes, I did take her keys and I
3 wouldn't let her leave, but that's because she said she
4 was going to take the car and drive it and crash it into a
5 wall.

6 **DEPUTY COMMISSIONER LAM:** Okay. Um, it seems to me
7 that so far, everything you've described, the common theme
8 seems to be that the victim is out of control and you're
9 just trying to control the situation. Is that an accurate,
10 an accurate description of what this, what you're, you're
11 explaining?

12 **INMATE MCNEAL:** Not at all. Uh, not at all. She did
13 the thing she did. However, back then, maybe that's what I
14 thought. That's what I, that is what I thought back in
15 those days that she was out of control and I was doing the
16 best and I was a great guy and I was doing everything I
17 did, I could to control an out of control person and
18 protect her from harming herself or others. That is what I
19 believe back then. After years of self-help and going
20 through these groups, uh, as I said earlier, I've learned
21 that my, what I did was domestic violence. What I did was
22 abusive and even saying I just held her down or restrained
23 her or whatever you want to call it, that, that is, that
24 is still, that is still abusive. And the bottom line is I
25 am responsible for my behavior toward her no matter what

1 she was doing. I shouldn't have put my hands on her.

2 **DEPUTY COMMISSIONER LAM:** Okay. I'm trying to
3 understand were you the perpetrator, sir? Because the way
4 you've been talking about all these incidents, it sounds
5 like she is out of control. Did you start the fight? Did
6 you hit her? Did you, what is your role in all this?

7 **INMATE MCNEAL:** Oh, absolutely. You know what? We, we
8 had a codependent, a codependent abusive relationship
9 where I was both the abuser and partially the abused. We
10 both did things. We were both codependent and caught up in
11 the cycle of violence. And I can go into that.

12 **DEPUTY COMMISSIONER LAM:** Okay.

13 **INMATE MCNEAL:** I'm sorry. Did you say something?

14 **DEPUTY COMMISSIONER LAM:** Did you ever hit her, punch
15 her, slap her, backhand her, anything like that, sir?

16 **INMATE MCNEAL:** Never. I never hit, punched, kicked,
17 anything to her. I never punched her. I never hit her.

18 **DEPUTY COMMISSIONER LAM:** So how did you, how were you
19 the perpetrator then?

20 **INMATE MCNEAL:** Well, because as I said before, um,
21 and that's where my, my thinking changed. Back then, I
22 didn't think restraining her was abuse. And I learned to
23 understand that even restraining her was abusive. I'm
24 responsible for my actions toward her. You want to know
25 how else I was responsible? It's because I was so cold and

1 materialistic, but I believe that she, she thought that
2 the only way she could get my attention was destroying
3 property. Uh, I would belittle her. I would tell her she
4 was crazy. That's, that's mental abuse. I would tell her
5 she needed help. These things, you know, I would say
6 things. And she may have, the original reason she got mad
7 may have been about my kids. However, I thought I had the
8 moral high ground and I would be cold, have no empathy for
9 her, not communicate with her. Instead, I would belittle
10 her and tell her that she was crazy. So, all of these
11 things were mental abuse and these were things that I did.
12 And I excused myself back then by saying that I wasn't
13 abusive because I didn't put my hands on her.

14 **DEPUTY COMMISSIONER LAM:** All right. So, your, your
15 testimony is you're verbally and mentally abusive?

16 **INMATE MCNEAL:** Yes. And well, and physically when I
17 did restrain her, because even that I should not, I
18 shouldn't have put my hands on her and even restrained
19 her.

20 **DEPUTY COMMISSIONER LAM:** All right. Well, if your
21 version is the truth, sir, then if someone's coming at
22 you, I think you do have a right to defend yourself, but
23 all right.

24 **INMATE MCNEAL:** Well, uh, yes.

25 **DEPUTY COMMISSIONER LAM:** Um, I want to switch gears

1 now and talk about your allegation that you did not commit
2 this crime.

3 **INMATE MCNEAL:** Yes.

4 **DEPUTY COMMISSIONER LAM:** So, I read the 308 pages
5 that you've submitted. Let me turn to it. So, if I
6 understand you clearly, you are facing this argument on a
7 declaration and some court testimony from a Mr. McGill,
8 who says that Jeffrey, your brother, confessed to him that
9 he killed your wife. Is that correct?

10 **INMATE MCNEAL:** Uh, that's correct. Among him and the
11 other witnesses, correct.

12 **DEPUTY COMMISSIONER LAM:** Let me back up before I want
13 to talk about Mr. McGill. You, you wrote that you felt
14 that your brother was the protector. He always likes to
15 play the protector of you. Is that correct?

16 **INMATE MCNEAL:** Uh, that's correct. Family members in
17 general, yes.

18 **DEPUTY COMMISSIONER LAM:** And so, your, your argument
19 is that's what made it possible for him to kill the victim
20 to help you out. More or less this is what your argument
21 is, right?

22 **INMATE MCNEAL:** And that's what the testimony from
23 the, the people that he has confessed to. And they've also
24 said that that was the reason that he gave.

25 **DEPUTY COMMISSIONER LAM:** Okay. Well, I only have a

1 confession, uh, an alleged confession that was made to Mr.
2 McGill. Uh, back in 2005, I believe the, uh, Innocence
3 Project picked up your case and they tried to make that
4 case...

5 **INMATE MCNEAL:** Yeah.

6 **DEPUTY COMMISSIONER LAM:** And they tried to make that
7 case to the court and the court did not buy that. Is that
8 correct?

9 **INMATE MCNEAL:** That's correct.

10 **DEPUTY COMMISSIONER LAM:** Okay. And – go ahead.

11 **INMATE MCNEAL:** Yeah, that's correct. Um, Mr. McGill,
12 at the same time that he went to authorities and, and, and
13 told them that my brother committed two other murders, he
14 also told them that my brother had confessed to the murder
15 that I'm in here for.

16 **DEPUTY COMMISSIONER LAM:** All right.

17 **INMATE MCNEAL:** So, he was, yes.

18 **DEPUTY COMMISSIONER LAM:** So, yeah, I believe they
19 interviewed your brother...

20 **INMATE MCNEAL:** Yes.

21 **DEPUTY COMMISSIONER LAM:** And your brother denied that
22 he ever killed your wife. Is that right?

23 **INMATE MCNEAL:** Um, uh, I'm sure that's correct during
24 that interview. Um, and when he was asked the second time
25 on the stand, he pled the fifth, uh, to his right against

1 self-incriminating himself when he was placed on the stand
2 under oath and asked if he killed my wife, he played the
3 fifth.

4 **DEPUTY COMMISSIONER LAM:** Okay. Well, I want to read
5 to you this paragraph and, and, and, and let me know if
6 it, any truth resonates. So, say Jeffrey went on to say,
7 and this is page 235 of the, uh, page 308 of the 10-day
8 packet. It says, Jeffrey went on to say that if he had
9 killed Debra, there's no way he would've let Rodney take
10 the hit for the murder. Rodney is the only intelligent one
11 in the family and the only one that showed any promise.
12 He's a college graduate and was working on his master's
13 degree at the time of the event. Uh, Jeffrey also stated
14 that during the time Rodney was going to college, he sold
15 drugs on the street to help support his brother. Upon
16 their mother's death, he made a promise to the mother he
17 would take care of, I think it meant you not Jeffrey,
18 because you looked to be ambitious and have a future ahead
19 of you. He promised his brother he would take care of him
20 and he, and that's why he sold drugs to support Rodney.
21 And you said that that never occurred, the selling?

22 **INMATE MCNEAL:** He never, he never, oh, did he sell
23 drugs? Yes. He, he sold drugs. But did he pay, help pay
24 for my college by selling drugs? No. There was a period
25 after my mom died that I stayed with him. I stayed with

1 him for a few months after I graduated, but I paid for my
2 own college and I worked part time.

3 **DEPUTY COMMISSIONER LAM:** Okay.

4 **INMATE MCNEAL:** Um, and I don't know the point of this
5 question is asking about the college, but is there any
6 truth to some of the stuff he said? Yeah, he was a
7 protector. Yeah. I stayed with him for a while. Uh, is he
8 someone who, who's going to look out for me? Uh, if he
9 can, yes. But is he someone who's going to turn himself in
10 for murder and get life in prison or the death penalty? I
11 don't believe that's the case.

12 **DEPUTY COMMISSIONER LAM:** Um, can somebody mute their
13 end because it's coming across. Okay. Thank you. Go ahead.
14 I'm sorry.

15 **INMATE MCNEAL:** Yeah, no. So, I was just saying in
16 some of those things that he said true, he never helped
17 pay for any of my college. If he says because I stayed
18 with him for a few months after my mom died, if he says
19 that's how he was supporting me because he was paying the
20 rent by selling drugs, that's possible, but he never paid
21 a penny for my college. Uh, I was working part time myself
22 and I had Pell Grants as far as my college. I did stay
23 with him.

24 **DEPUTY COMMISSIONER LAM:** Okay. Okay. Well, I don't
25 care if you stay with him at this moment.

1 **INMATE MCNEAL:** But as far as him saying that...

2 **DEPUTY COMMISSIONER LAM:** Okay. You kind of cut off,
3 but I'm going to tell you something. When I read this
4 paragraph, in conjunction with your own statement that
5 your brother is a protector, this paragraph made a lot of
6 sense to me because you on the one hand claims that he,
7 uh, loves you and he protects you and he would do anything
8 for you and he would even murder your wife. It's kind of
9 consistent with what he's saying here. He's saying that he
10 would sell drugs to help you out. And if he had committed
11 the crime, he would not have given you, I mean, let you
12 take the fall. I mean, it's seems logical to me. So, is it
13 your testimony your brother drove all the way from Las
14 Vegas over here to kill your wife to help you out? Why?

15 **INMATE MCNEAL:** Well, well, that, that was the
16 testimony of the witnesses, uh, who he confessed to. Uh,
17 now, if we're requesting their credibility, that's one
18 thing. That was, that was what the witnesses said that,
19 that that's what he did. And there was reasons why I
20 believe, there's reasons why I believe the things that he
21 said happened as far as he went through the door but, were
22 you going to say something?

23 **DEPUTY COMMISSIONER LAM:** Well, well, let, let me ask
24 it this way.

25 **INMATE MCNEAL:** Yes.

1 **DEPUTY COMMISSIONER LAM:** You wrote in your statement
2 that you felt that you were responsible for the crime
3 because you bad mouth your wife to Jeffrey, which caused
4 Jeffrey to come and do this. That's basically your theory
5 of the case, correct?

6 **INMATE MCNEAL:** Uh, that's my theory, yes.

7 **DEPUTY COMMISSIONER LAM:** Okay.

8 **INMATE MCNEAL:** That is my theory. Jeff had been, Jeff
9 had, I'm sorry. Jeff had been extremely violent. He had
10 pulled a gun on the mother and grandmother of my children
11 without any requests from me and I didn't do it. He did it
12 on his own when my kid's mother and I were separated. Uh,
13 he tried to kill my stepfather because, uh, he was upset
14 about him not visiting my sister on a regular basis.

15 **DEPUTY COMMISSIONER LAM:** Okay. Tell me the things you
16 told Jeffrey that you think caused him to come and murder
17 her.

18 **INMATE MCNEAL:** Well, uh, to say that I remember the
19 exact conversation, but I remember the things I told him.
20 I mean, we talked about her together saying that she was
21 crazy. I told him things like, yeah, possibly she was
22 using me for a big payday. Uh, I just told him that, I
23 told him about all the violent incidents and I, I
24 completely blamed her for everything. I didn't take
25 responsibility for anything I did. I told him that she was

1 violent. She was, she was ruining my, she's ruined my
2 life. She'd called the police. I was probably going to get
3 messed up in my career. Uh, and, and of course, we would
4 do back and forth saying, oh, she's crazy, and, you know,
5 she's crazy and he told me that he felt guilty for
6 introducing us. And, uh, he just said it was messed up.

7 **DEPUTY COMMISSIONER LAM:** Go ahead. When was the last
8 time, oh, I'm sorry, go ahead. I thought you were done.

9 **INMATE MCNEAL:** Yeah. Yeah. So, so you're, you're
10 asking about how do I feel guilty? Okay.

11 **DEPUTY COMMISSIONER LAM:** No, no. I just, no, no. I
12 just want to know what you said that would make Jeffrey go
13 and commit this brutal murder. So, you said you badmouth
14 her to him, calling her crazy, using you as basically a
15 paycheck or payday, uh, and then you told him about her
16 violent outbursts and you blame her for everything. So,
17 when, when was the last time you spoke to Jeffrey prior to
18 the murder?

19 **INMATE MCNEAL:** Um, uh, it was probably a week or so,
20 probably a week or so.

21 **DEPUTY COMMISSIONER LAM:** Okay. And during that week,
22 during that conversation, do you remember what you talked
23 to him about?

24 **INMATE MCNEAL:** Um, no, absolutely not. Debra, Debra
25 was out in Las Vegas and she, uh, that's when she was out

1 in Las Vegas and, uh, she had went by his house. And I
2 mean, I imagine it was just a normal conversation. I
3 don't, the conversation where I demonized her was the one
4 in December.

5 **DEPUTY COMMISSIONER LAM:** Okay.

6 **INMATE MCNEAL:** And as I said before and as I said in
7 the things that I wrote, I had never told anyone about the
8 things that were going on in my home. And the only reason
9 I told Jeff at that time is because my insecurities came
10 out. I felt she humiliated me. I felt she embarrassed me
11 in front of everyone. Uh, and the shame of what was going
12 on in our house was out for people to see. And I felt I
13 had to, my insecurity, I had to maintain my image of my
14 brother was always aggressive, tough and violent. And I
15 felt that she, she, she humiliated me in front of him. And
16 so, that whole conversation where I was demonizing her,
17 I'm trying to talk tough and I'm trying to talk on my
18 image to make it look like, like I'm not this, you know,
19 weak guy that's got all this stuff going at home or on at
20 home. And, you know, that I'm not a weak individual.

21 **DEPUTY COMMISSIONER LAM:** I just want to establish
22 that the badmouthing happened in December, correct?
23 Sometime three months prior?

24 **INMATE MCNEAL:** That's correct.

25 **DEPUTY COMMISSIONER LAM:** And there's no more

1 badmouthing between then and the life crime, correct?

2 **INMATE MCNEAL:** That's correct.

3 **DEPUTY COMMISSIONER LAM:** Okay.

4 **INMATE MCNEAL:** I never, after December, I didn't talk
5 to him about it again, about the, about the badmouthing
6 and things like that.

7 **DEPUTY COMMISSIONER LAM:** So, your position is because
8 you badmouth her in December, out of nowhere, three months
9 later, he decides to brutally murder her. That's your
10 position?

11 **INMATE MCNEAL:** Well, uh, that, that's sort of my
12 position, but it's probably my position that number one,
13 Debra was out there and then if he had planned it to come
14 all the way from Las Vegas to California, that that would
15 not be a sudden thing that he would do. So, he had planned
16 it, if he'd started, if he had planned it at that time,
17 then it wouldn't necessarily be something he would have
18 done the next day. So, yes, that was the last time I
19 talked to Jeff about it. It was in December 1996. That was
20 the only time I ever talked to him about it. I demonized
21 her. I did not talk to him about it afterwards. And yes.
22 Did he come out there a couple months later? That's what I
23 believe. That's my, that's my theory that it angered him
24 enough to either he planned it or if he had, I know that
25 Debra saw him when she was out in Las Vegas, I don't, I

1 don't know if something brought it back up. I don't know
2 about that and I'm not going to speculate, but the last
3 time I spoke to her was and to Jeff about the stuff that
4 was going on and demonized her was in December of '96.

5 **DEPUTY COMMISSIONER LAM:** Okay. Sir, how many minutes
6 lapsed between you coming home, finding your wife brutally
7 murdered and the police showing up?

8 **INMATE MCNEAL:** Like 10 minutes based on all the
9 timeline, the last phone call from my office being at
10 12:19 and the, and the 911 call coming in at 12:32.

11 **DEPUTY COMMISSIONER LAM:** Okay. The neighbor said that
12 she saw your car parked in a crooked, uh, parked in a
13 crooked manner around 12:15. Is that right?

14 **INMATE MCNEAL:** Absolutely. That's what she said.

15 **DEPUTY COMMISSIONER LAM:** Okay.

16 **INMATE MCNEAL:** This was an elderly woman that was in
17 her upper 70's. And according to my, and I'm not
18 dismissing her because I believe she's just made a
19 mistake, but, uh, she was elderly. Uh, according to my
20 Attorney, she could not testify in my trial because she
21 had gone senile. Now, I would say that I believe she made
22 a mistake. She judged the time that she saw my car in the
23 driveway at 12:15. She judged that based on the commercial
24 she saw on TV. I will say that I left my office with two
25 other probation officers whose one of their phones went

1 from 12, uh, from 12:13, I believe, to 12:16. So, his
2 phone call went to 12, his phone records show that his
3 phone was in use at 12:16. Mine showed that mine was in
4 use at 12:19, and then we walked out with another
5 probation officer. And I do believe that Ms. Reeds was
6 mistaken because I believe that the testimony of probation
7 officers and of a phone record, which I could not change
8 or question, is a lot more reliable than a witness saying
9 she judged seeing my car in the driveway based on a
10 television commercial. And if it was, it was probation
11 officers who had said that I was there at 12:15, that
12 would have been credible evidence that I was there and
13 they would have believed the probation officers over a
14 witness saying that, um, that they saw that I wasn't there
15 until 12:30.

16 **DEPUTY COMMISSIONER LAM:** Okay.

17 **PRESIDING COMMISSIONER LONG:** Commissioner, can I,
18 can I chime in just for a sec?

19 **DEPUTY COMMISSIONER LAM:** Yes.

20 **PRESIDING COMMISSIONER LONG:** Mr. McNeal, you said,
21 uh, the record reflects that there were six calls from
22 your office to the house between 12:14 and 12:19. Is that
23 accurate?

24 **INMATE MCNEAL:** That's correct.

25 **PRESIDING COMMISSIONER LONG:** Why did you call the

1 house six times in a five-minute stretch?

2 **INMATE MCNEAL:** As, as you recall from my earlier
3 testimony here or from my writing, I was supposed to pick
4 Debra up and take her to the doctor. This was the first
5 time that she had a mental health appointment. I started
6 calling at 12:30 because I was finishing report, or excuse
7 me. I started calling at 12:13 because I wanted to make
8 sure. This is the first time. I didn't know if the mental
9 health appointment was going to be at our regular Kaiser
10 or if it was going to be another Kaiser location. So, I
11 was calling to tell her that I was getting ready to be on
12 the way and which, where is the mental health appointment
13 since this was the first time ever that we were going to
14 be going to the mental health appointment. I didn't know
15 if it was a local Kaiser down the street or if we were
16 going to have to drive to Fontana. So, uh, and I would
17 like to mention also that if you examine my statement from
18 the police on that day, I told them that I made these
19 calls trying to instruct her. And there's no way I could
20 have known that these phone calls were present on my phone
21 record unless either I made them or I had a co-conspirator
22 in the probation department to make these calls to my
23 home.

24 **DEPUTY COMMISSIONER LAM:** And that's what the court
25 believed, right? The courts believed that somebody else,

1 the jury believed that somebody else made those calls.

2 **INMATE MCNEAL:** Absolutely. The jurors believed it.
3 The prosecutor presented that case and the jurors believed
4 that. However, that my coworker, who they asked, uh, did
5 he make the calls to my house who said he didn't even show
6 up after the murders had already happened, based on his
7 timeline, uh, and there was no reason why my coworker who
8 shares an office with me would use my phone rather than
9 his own phone that, that's two feet away on his desk to
10 call my house six times. So, uh, I could say that, yes,
11 you're, you're a hundred percent correct that the jury did
12 not believe it or believe anything that, anything that I'm
13 saying and I understand that because as I said before, I
14 put myself in this mess, in my opinion, no matter what, by
15 my behavior and my, my actions. And I understand that the
16 jury didn't believe it. And, uh, I can only speak my truth
17 and say that, uh, I'm innocent of this crime. And I, I, I
18 understand your questions and I appreciate them.

19 **DEPUTY COMMISSIONER LAM:** Sorry, Commissioner. Did you
20 have another question before I, uh...?

21 **PRESIDING COMMISSIONER LONG:** I do, but I'll wait
22 until you're, until you're finished.

23 **DEPUTY COMMISSIONER LAM:** Thanks. I only have a couple
24 more. Thanks. Um, so going back to Mr. McGill, what I
25 found interesting was Mr. McGill really has a motive to

1 lie when you're looking at the record, right? Because
2 he's, isn't your, wasn't your brother sleeping with his
3 wife.

4 **INMATE MCNEAL:** Absolutely.

5 **DEPUTY COMMISSIONER LAM:** Okay.

6 **INMATE MCNEAL:** And that's why his credibility was
7 called into question that he would have a motive, that he
8 would have a motive to lie on my brother because he had
9 slept with his wife. Uh, I would, I would only say that
10 the police officers in Las Vegas found him credible enough
11 to arrest Jeff for two other murders and convict him for
12 those two murders, which he said to my brother, he told
13 the police at the same time about all the murders. So, he
14 was credible enough to those other murders, which he would
15 have had the same motive to lie about those. Uh, not to
16 mention, like, as I said, some of the things that he said
17 that, yes, maybe Jeff could have just talked to him. If he
18 were lying, he, Jeff could have just told him about the
19 things that I said were going on in the home. Uh, however,
20 the things that Cary said were, uh, uh, specific and I had
21 never told anyone else about the problems I had at home.

22 **DEPUTY COMMISSIONER LAM:** Right.

23 **INMATE MCNEAL:** So did, could, could, yes. Did Cary
24 have had a motive to lie? Um, sure. He certainly could
25 have had a motive to lie. I don't believe..

1 **DEPUTY COMMISSIONER LAM:** Well, isn't that, isn't that
2 your brother's, I mean, uh, testimony? I mean, he
3 basically told the cops that he shared the information and
4 Mr. McGill used it against him because you told us that
5 you told your brother about what happened to the victim.
6 So, logically, your brother shared it with him. How else
7 would, would he know? But the fact stands that your
8 brother denies that he killed your wife on your behalf,
9 correct?

10 **INMATE MCNEAL:** That, that's correct.

11 **DEPUTY COMMISSIONER LAM:** Okay.

12 **INMATE MCNEAL:** And, and that he pled the fifth when
13 he was asked under oath about did he kill my wife, he pled
14 the fifth and to not incriminate himself. So, both are
15 true.

16 **DEPUTY COMMISSIONER LAM:** Let me ask you this. Were
17 you even distraught that she was murdered?

18 **INMATE MCNEAL:** Absolutely. And I've, I've said to
19 myself, from, from my upbringing and I'm getting to was I
20 distraught, from my upbringing, uh, being, not having
21 close relationships and family ties and moving a million
22 times, I, you know, I learned, I cut people out of my life
23 because I moved. Whenever I'd start making friends or
24 establishing friendships and relationships, we would move
25 again. So, as a protection device for myself, I began to

1 close down emotionally to other people. And if they left
2 my life, I had to cut them out because we were going to be
3 moving, we were going to be moving another time. As soon
4 as we went to a school, we'd move again. Even when my own
5 mother passed away, my own mother passed away, that was
6 the first time that I myself thought that I had a problem
7 with my empathy because my brother and my sisters, they
8 were crying, they were distraught. I was upset, but even I
9 questioned, why am I not feeling these pain and emotions
10 from my own mother who died of a stroke that, that I even
11 believe I should be feeling? I was upset. I was sad, but I
12 wasn't distraught. I had been losing people all my life
13 and had to, and had to, to, to, to buck up because there
14 was no one who cared about my feelings and I'm not blaming
15 them because I, I, you know, I should've manned up as a
16 man, as an adult and recognize my own character flaws, but
17 it took me coming to prison to recognize this, that I cut
18 people out of my life. And I've always had, I didn't have
19 a lot of friends in high school. Um, I was just always, I
20 didn't have, I didn't develop close relationships I always
21 wanted because I kept people at a distance.

22 **DEPUTY COMMISSIONER LAM:** Okay. Sir, sir, I'm going to
23 stop you because cutting people out of your life and
24 mourning for a wife that was brutally murdered are two
25 very different things, sir. I don't know how cutting

1 someone out of your life and not feeling pain for a wife
2 that was brutally murdered, how you're not capable of that
3 just because you cut someone out of your life?

4 **INMATE MCNEAL:** Well, I was, I'm on way there. I'm
5 sorry if I took too long.

6 **DEPUTY COMMISSIONER LAM:** Okay. I apologize. Go ahead.

7 **INMATE MCNEAL:** Yeah. So, so when my, so when my wife
8 and child were murdered, yes, I felt it. When my mother
9 died, I felt it. But I always tried to suppress my
10 feelings and tried to act tough on the outside. I felt it
11 on the inside. I felt it on the inside. The number one
12 time, right after my wife was murdered, I remember bending
13 down on the front lawn of my house where the police were
14 out there and I remember feeling it at the same time
15 because it was so ingrained in me, I came to myself and I
16 tried, I said, I got, I got to be strong. I got to be
17 strong. Even when in my interview with the police that
18 very same day, I was doing my best wrong or right as the
19 person I was, I tried to suppress my feelings and not show
20 my feelings outwardly. There was only one, so I was
21 mourning my wife and child inside. As much as I should
22 have? No, because even with my own mother, I didn't live
23 it out. At, at the funeral, I broke down and I cried
24 uncontrolled. And that's, that, that's really, maybe I did
25 that once or twice. And I tried not to. And, and whether

1 that makes sense to anyone else, that's the way I was. I
2 tried to maintain that image that I was the tough
3 probation officer, uh, uh, you know? Um, yes, when it's my
4 wife, yes, I should, it should have been all let go. I
5 should have let it all go when it was my mother. And my
6 mother passed away, I, I couldn't let it out. It wasn't a
7 psychopath. It was a protection mechanism or coping
8 mechanism to protect myself from being hurt. And should I
9 have been more emotional? Absolutely. And I, I've been
10 recognized that now. And I was mourning inside. I did feel
11 it inside. Did I try to not to let anyone else see it?
12 Absolutely. I've stuffed it down.

13 **DEPUTY COMMISSIONER LAM:** Do you feel it today?

14 **INMATE MCNEAL:** I feel it. I have felt it so much
15 since, uh, since that time. But, you know, when I felt it
16 most is when I finally stopped, even though I'm saying my
17 brother did it and I do believe that's true, but when I
18 finally started taking responsibility and say that, and
19 acknowledge that, although I did not kill her, it was my
20 actions that set the wheels in motion. And then that's
21 when I was able to feel some responsive, that's when I
22 felt responsibility and remorse. I've always felt for her.
23 I always felt for her and my unborn child. I think of
24 them. I think of what they would have been. I think about
25 Deanna, Marcus, Shantel, Shantee, Herman, Angela, Susan,

1 her brother Alvin. I think about these people. And I
2 remember one statement that her sister made and it's
3 always stuck with me. She said, I remember what she said,
4 when Debra died, I lost my best friend. They think that
5 I'm cold and I don't, remember that. I remember that. When
6 I've seen these pictures here of Shantel on the video
7 screen, I see the pictures of her mother in the
8 background, that hurts me because I know that that's,
9 that's, I know that that's her pain for her mother that
10 she's feeling. And regardless of whether she thinks I did,
11 I know she believes I did. I feel, I feel the pain for
12 Debra and Samara and my daughter would have been
13 graduating from college. You know, she'd be, I've been in
14 here 23 years. She would be graduating from college within
15 the last year or two. So, I think about them and to think
16 that, do I have emotion for them? You know, yes, I have, I
17 have emotion for them and regret that they lost their
18 lives. I couldn't let the same emotion out back in, and I
19 wish I could have.

20 **DEPUTY COMMISSIONER LAM:** All right. For the record,
21 Mr. McNeal is showing a lot of emotions. Um, may I ask
22 what's the deal with dating four months after the murder?

23 **INMATE MCNEAL:** That's another thing. I grew, I grew
24 up with a lot of insecurities and it's going back to the,
25 the moving here and there, moving everywhere again, not,

1 not getting any close relationships because I was unable
2 to develop close relationships with friends, family. When
3 I was on just start dating, I started grabbing on to any
4 woman who would pay attention to me. Women that were easy,
5 easy to date, and maybe they were as broken as I was. So,
6 how do I start dating immediately after? Because I was
7 insecure and I thought I needed a woman to make me feel
8 loved and feel like I had someone who was there for me.
9 So, have I started dating afterwards? Absolutely. Did I,
10 did I love this woman? No. It was, it was a security
11 blanket to, to, to make myself feel like, like I had
12 someone and, uh, yeah.

13 **DEPUTY COMMISSIONER LAM:** Okay. My last two questions.
14 And at this time will be my final answer, Commissioner.
15 Um, if your brother committed this crime, can you help us
16 understand why he would write the word N lover? Do you, I
17 mean, I figure, you know, your brother. Is there something
18 behind that?

19 **INMATE MCNEAL:** Okay. Well, the only, what I can say
20 is what we have said before, uh, that if he was doing it
21 and he was doing it so-called to assist me or he didn't
22 want me be arrested either and the house was ransacked, in
23 order to mislead the authorities, that's what someone
24 might do to write something on there to mislead them. I
25 mean, it it's juvenile and that's, that's my reason. He

1 wanted to mislead them as, just as there were chemicals
2 poured on Debra. Uh, there were cleanup attempts made in
3 the home. There were attempts made to, for the perpetrator
4 not to be caught. And I believe that was one of them.

5 **DEPUTY COMMISSIONER LAM:** All right.

6 **INMATE MCNEAL:** And is there anything...? Yeah. So,
7 clearly someone who knew, how would they have known even
8 that I was African American if I wasn't home? So it was
9 clearly someone who knew Debra and I knew that she's
10 Native American, of course, and I'm African American.

11 **DEPUTY COMMISSIONER LAM:** All right. So, you think the
12 N lover comment is to what create a, a ruse, I mean, to
13 create a look that it was a white person who may have
14 committed the crime? Is that what it is?

15 **INMATE MCNEAL:** Or racially motivated or someone,
16 someone other than, uh, than an African American that did
17 it. Uh, I mean, uh, in order to draw them away from me or
18 to draw them away from him. Because if it was someone who
19 would write the N word lover on the mirror, then, uh,
20 logically speaking from someone, uh, who was trying to
21 divert the <inaudible>, they would think that the police
22 would think that it was someone who was not African
23 American because they wouldn't have written the N lover on
24 the mirror. So, I, I believe that it was a form to
25 distract law enforcement.

1 **DEPUTY COMMISSIONER LAM:** And my last question is the
2 appointment was at 12:30, but you claim you got there at
3 12:30. Wouldn't it make sense for you to come there a
4 little sooner to take her to an appointment that's at
5 12:30?

6 **INMATE MCNEAL:** Uh, on my desk calendar and I, and,
7 uh, I wrote to pick her up at 12:30 and I,, and one of the
8 reasons why I called earlier, one of the reasons why I
9 called earlier was to get all the particulars of the
10 appointment. If you remember earlier conversations were
11 heated. Then when she finally said that she was going to
12 go seek help, I believe I was supposed to pick her up at
13 12:30 and that's what time, it was to pick her up at 12:30
14 for me. It wasn't be at the appointment at 12:30.

15 **DEPUTY COMMISSIONER LAM:** And your testimony, it took
16 five phone calls to get all that straightened out.

17 **INMATE MCNEAL:** Well, the phone call answered.
18 Remember, she, she was in an emotional state. So, every
19 time I call and there was no answer, I knew she was home
20 because I'm supposed to take her to the doctor's
21 appointment. So, I'm going to call her repeatedly. There
22 were no cell phones back then, or we didn't have a cell
23 phone. Uh, there were no cell phones back then, so yeah,
24 yes. I'm going to call her repeatedly. I, I know she's at
25 home and I know I'm supposed to take her to the doctor so

1 I know she's not going to drive. And so, yes, I'm going to
2 call her repeatedly to try to get through her. I know
3 she's in the house and, um, you know, yeah. And there's no
4 way I could know that those phone calls existed when I'm
5 interviewed by the police a few hours later. There's,
6 there's no, how could I know that? And there was never any
7 investigation to say that there was a co-conspirator in
8 the probation department.

9 **DEPUTY COMMISSIONER LAM:** Okay. I don't have any more,
10 Commissioner, but I may have one or two later.

11 **PRESIDING COMMISSIONER LONG:** Okay. So, um, you
12 talked about the, there, there were Clorox empty, half
13 empty Clorox and Lysol bottles found at the scene. Um, and
14 so, did you try to clean up anything yourself?

15 **INMATE MCNEAL:** Absolutely, absolutely not. I did not
16 try to clean up anything while I was in there. There would
17 be no reason for me to try to clean up anything.

18 **PRESIDING COMMISSIONER LONG:** And there were, uh,
19 some, some chemical burns on, on Debra and some, some hair
20 was cut off of her part of her scalp or what was...?

21 **INMATE MCNEAL:** That was one of the things that
22 happened among many of the things that happened there. Uh,
23 yes, they took that there were some hair clippers that
24 were found underneath her and that her hair was partially
25 shaved, um, uh, among all the cleanup attempts and, uh,

1 the epithet written on the mirror and the clothes hamper
2 and the penny jug being placed upon her and numerous
3 towels found in the kitchen area, um, in the cleanup
4 attempt. And the staging of the home in general, the
5 staging of the home, uh, pulling out drawers and such.

6 **PRESIDING COMMISSIONER LONG:** And there were 15 stab
7 wounds in her back as well.

8 **INMATE MCNEAL:** And 15 stab wounds and, and she was
9 strangled.

10 **PRESIDING COMMISSIONER LONG:** So did Debra file a
11 temporary restraining order on you?

12 **INMATE MCNEAL:** Uh, yes, she did.

13 **PRESIDING COMMISSIONER LONG:** When?

14 **INMATE MCNEAL:** Um, uh, well, I don't know. It
15 would've been, I think, believe it was months before the
16 murder, I believe.

17 **PRESIDING COMMISSIONER LONG:** December, sometime?

18 **INMATE MCNEAL:** Uh, I would take your word for it. I
19 don't remember the exact month.

20 **PRESIDING COMMISSIONER LONG:** And, um, did a
21 Sheriff's Deputy take away two of your guns because he was
22 concerned that you guys were, might hurt each other?

23 **INMATE MCNEAL:** Yes, they did. And I picked them up
24 from the Sheriff's Department a few days later.

25 **PRESIDING COMMISSIONER LONG:** So your testimony is

1 that you only restrained, never punched, never, um, struck
2 Debra. Why would she have enough fear that she filed a
3 restraining order on you?

4 **INMATE MCNEAL:** Um, well I'm not one to demonize the
5 victim, but if, if you would look at, and I'm not
6 demonizing her, I'm just stating the fact. If you look at
7 the restraining order, she requested the restraining order
8 and their relief. She requested was that a certain amount
9 of money will be turned over to her. And I am not saying
10 that, that she did not fear in that moment, but all I can
11 say is that on the restraining order, I remember this
12 restraining order, the relief requested was not that I was
13 violent. It was requested that I turn over a certain
14 amount of money to her. And, um, I don't want to question,
15 uh, her motives, but I will state that that was the
16 request. I, I never struck, I never punched, I never hit
17 her. And she called the police when I took her purse and I
18 definitely believe she would call the police and reported
19 that I had punched, kicked, slapped her, uh, or, or done
20 something more physically violent, uh, rather than just
21 say I restrained her and took her purse. So, I, I'm, I'm
22 trying to prove something that I can't prove. I can't
23 prove her state of mind. I can't prove where she was at,
24 but I do believe that, that if I had punched, hit, kicked
25 her and I don't believe any, any witnesses, even Debra's

1 children, there's never anyone that was friend, Terrylynn
2 Walker. There's no one that I believe says that she ever
3 told them that I hit her or punched her or slapped her.

4 **PRESIDING COMMISSIONER LONG:** Okay. So, another
5 question for you. You went into the house. When you found
6 Debra, you ran out, went to both neighbors' houses, ran
7 back into the house and ran out again. Why was there no
8 blood on your shoes?

9 **INMATE MCNEAL:** Uh, yeah, that's what I'm saying,
10 because they're saying, they're saying that, they're
11 saying that I, that I had, that I should have had, they
12 said that my shoe print was found in a puddle of blood.
13 So, that's one of the pieces of evidence that they're
14 saying that my shoe print are one that they, the expert
15 cannot identify as my shoe print was found in a puddle of
16 blood, but there was no blood on my shoes and we can go
17 both ways, we can go both ways on that as we talked about
18 before about the injuries to Debra. She was stabbed,
19 beaten. Her nose was broken. She was strangled. She was
20 dragged from the living room where this assault took place
21 all the way back to the master bedroom. So, there should
22 be some there. I agree with you. There should be some
23 bloody shoes somewhere from the person who did this. There
24 should be some bloody clothes. There should be some bloody
25 shirts. There should be some bloody gloves.

1 **PRESIDING COMMISSIONER LONG:** Well, I mean, if you
2 use Clorox to clean it off the shoes, there wouldn't be,
3 right? But I'm just wondering if, if you ran in and out in
4 such a hurry to try to get help, uh, and there was blood
5 on the living room floor, uh, it's surprising to me that
6 you, you were able to avoid that going back and forth as
7 many times as you did.

8 **INMATE MCNEAL:** Well, um, I will say that, I mean, my
9 testimony is what it is that I did run back and forth, but
10 I will say that as far as the Clorox, now, we're talking
11 about a 10-minute or even under the prosecution's theory,
12 a 15-minute or a 17-minute window, so, uh, we're, we're
13 assuming all this stuff happened, uh, she was beaten,
14 stabbed, had her head shaved, racial epithets written on
15 the mirror, cleanup attempts, you scrub shoes free of
16 every drop of blood, change clothing and hid them well
17 enough so these forensic experts could not find them in
18 the house that, I mean, that's not possible. I understand
19 what you're saying about coming in the house and the
20 shoes, but how's it possible where, where is, where are
21 all the bloody clothing? We're talking about she was
22 stabbed and there was blood droplets on the walls and
23 things from the, what they said, the shaking of the hand.
24 There was a bloody palm print on the garage. There was no
25 blood on me. So, we could say where, where it, why was

1 there no blood on me?

2 **PRESIDING COMMISSIONER LONG:** Well, that's the,
3 that's the other question I have because if you reached in
4 and tried to pull her out of the tub and she was all
5 bloody, why isn't there blood on you?

6 **INMATE MCNEAL:** Well, when I pulled her out of the
7 tub, she, uh, she was not all bloody when I pulled her
8 out. Um, she was in the tub and I believe there either had
9 been or there was water in the tub because as I said
10 earlier, I can't remember whether there was water in the
11 tub or not. When I pulled her out, um, she was not, uh,
12 covered in blood and later on, and I hate to say it, I saw
13 the autopsy pictures and her nose started bleeding, I
14 guess, after I pulled her back against the tub. But she
15 was not soaked in blood when I tried to pull her out of
16 the tub.

17 **PRESIDING COMMISSIONER LONG:** Well, it looks like
18 from the record, at one point, the tub was, did have water
19 in it. It was drained at least according to the record.

20 **INMATE MCNEAL:** So as I said, she was not all bloody,
21 which maybe the water had washed it off of her.

22 **PRESIDING COMMISSIONER LONG:** So let's talk about
23 the, the character defects you had at the time. And you
24 already said you were callous, you were cold, uh, you, you
25 were immoral, uh, you had normalized criminality. Any

1 other character defects or causative factors at the time
2 of the crime?

3 **INMATE MCNEAL:** Yeah. I was insecure, insecure, in
4 denial, a liar, a thief, made excuses for my behavior,
5 didn't take responsibility for my actions, blamed others
6 for my problems. Um, yeah, I mean, I was a horrible father
7 and definitely someone who should not have been working in
8 law enforcement.

9 **PRESIDING COMMISSIONER LONG:** What do you think the
10 impact of this crime was on, on, well, first of all, first
11 off, who were the victims and, um, what was the impact on
12 them?

13 **INMATE MCNEAL:** Well, the direct victims in this case
14 are Debra and Samara. That's what we planned to name the
15 baby. Those were the direct victims. And, um, the impact
16 on them is losing their life and, I mean, losing
17 everything. When you lose your life, you lose everything,
18 your future, um, your time with your kids. Then there's,
19 um, Debra's children. There's Marcus, Deanna, Shantel and
20 Shantee, and they lost a mother and a sister and all the
21 love, affection and guidance that goes along with those
22 relationships. Again, people think that I haven't talked
23 about them enough or I don't appreciate them. I understand
24 that from everything, from going to school, to proms, to
25 getting married, to getting advice from their mother, to

1 having a little sister to play with, from interacting with
2 them, everything that those relationships encompass that
3 they lost out on that. And I do feel, and not just did
4 they, they lose out on it, they continue to lose out on
5 not having a mother. As I said, when I saw Shantel with
6 the pictures of her mother behind her, that hurt me. And I
7 understand, I understand that pain because she, uh, she
8 still misses the presence of her mother. And I'm sure that
9 goes the same for Marcus, Deanna and Shantee. I'm sure
10 they still miss that. I'm sure some of them have kids now.
11 Their kids will never meet their grandmother. You know,
12 their kids will never meet their grandmother or their
13 aunt, which is their little sister. Then we can go on to
14 Debra's siblings, you know, um, Angela, Susan, Carmen, uh,
15 her brother Allen. Um, but as I said before, I'm repeating
16 myself on this, but I remember when Debra's sister made
17 the statement and I believe this was before I was
18 arrested, I believe, and she said, when Debra died, she
19 lost her best friend. I understand that. And I know that
20 she continues to live without her best friend. And I know
21 that even though I didn't commit the murders, I know that,
22 that my deep demonization of her is the, is the reason
23 that she lost her best friend. So, and then there's the
24 rest of Debra's family. And this is just the beginning.
25 So, if I go on too long, please stop me. Then there's the

1 community that have to pay for the cost of investigation
2 and incarceration. There's law enforcement. There's my
3 friends at the probation department who were suffering
4 from shame and humiliation because another officer got,
5 got arrested for something like this. And then there's
6 possibilities in cases I worked, the cases I worked at,
7 people went, guilty people went free and, and, and maybe
8 they were out there and victimize other people. I mean,
9 there, there, there's the community. There's the first
10 responders. There's, I mean, there's the neighborhood
11 children. There's, there's my neighbor. I remember one of
12 my neighbors, her name was Debra as well, and I remember
13 she asked, she called me over a few times to help move
14 something. And I thought about that. I thought about,
15 well, now she thinks, oh, I'm lucky he didn't murder me.
16 You know, she's got fear and she's got anxiety because I
17 was not arrested for seven months. So, the community, I
18 mean, the magnitude and impact of this can go on forever.
19 I mean, you can name victims and there's victims that I
20 will never know. And, you know, I can only apologize to
21 the victim known and the unknown victims for their pain
22 and suffering.

23 **PRESIDING COMMISSIONER LONG:** Commissioner, any, uh,
24 any follow up or are you ready to go to post conviction?

25 **DEPUTY COMMISSIONER LAM:** I'm ready to go to post

1 conviction, Commissioner.

2 **PRESIDING COMMISSIONER LONG:** Sounds good. Thanks.

3 **DEPUTY COMMISSIONER LAM:** All right. I'm going to go
4 over with what you've been doing since you've, uh, been
5 received by CDCR. Okay? It looks like you're a level II
6 inmate with mandatory, um, placement score of 19. So,
7 let's talk about the bad before we talk about a lot of
8 good that you've done. I was very surprised to see that
9 you come in here and you continued with your criminality.
10 I believe you sold drugs?

11 **INMATE MCNEAL:** Yes. Uh, yes, I did. And that was...

12 **DEPUTY COMMISSIONER LAM:** Again, I don't get it.
13 You're a probation officer or an ex-probation officer
14 who's supposed to be law abiding. You, you, you tell us
15 you're innocent of the crime, but the behavior just
16 doesn't jive. That doesn't sound like someone who would
17 come in here and continue with criminal activity. So,
18 please explain.

19 **INMATE MCNEAL:** Exactly. Excusing, excusing my
20 behavior, that was my pattern and my, one of my character
21 defects back then. I was in denial. Before I came to
22 prison, I had never even seen heroin. And I thought drug
23 dealers were low lives and, you know, preying on society.
24 Consistent with the things I had done before excusing my
25 behavior, I came in and I did the same thing. My, my

1 cellie offered, told me I can make money and sell drugs
2 and support myself. Well, I had morals until my morals
3 didn't fit my needs and then I threw the morals out the
4 window. And, and I agreed, and I agreed to sell drugs.
5 That was, that was my, that was one of my defects. And
6 I'd, I'd come forward and I've come willing acknowledge
7 the person I was. And that's why I'm able to admit to
8 something like selling drugs, which I, yeah, I never got
9 in trouble for, because now, I'm a different person. Now
10 that I can see who I was, no moral person who was in
11 denial who had all these character defects. Before, I
12 never would have said I was a low life drug dealer. I
13 would excuse my behavior and said, as I did then, oh, I'm
14 just doing it to support myself. I'm not a bad guy. So,
15 when I first came into prison, I, yes, I, you know, I was
16 in prison, but I still had those same character defects to
17 excuse what I wanted to do and throw it out the window,
18 throw my morals out the window when they didn't fit, fit
19 my needs.

20 **DEPUTY COMMISSIONER LAM:** All right. You were, you
21 were received in the year 2000. How many years were you
22 involved in drug sales, sir?

23 **INMATE MCNEAL:** Uh, I believe it was probably from
24 2001, 2001 to say maybe 2002 or three, somewhere around
25 there.

1 **DEPUTY COMMISSIONER LAM:** Okay.

2 **INMATE MCNEAL:** It was a few years while I was with
3 that same cellie.

4 **DEPUTY COMMISSIONER LAM:** A few years. So, 2001 or
5 2002 would only be two years. So, is it more like 2003? So
6 three years of selling?

7 **INMATE MCNEAL:** Well, I, I'm, I'm giving an estimate
8 and, you know, back then I didn't, I mean, I could say one
9 to three. I would give that range.

10 **DEPUTY COMMISSIONER LAM:** How much were you making a
11 month?

12 **INMATE MCNEAL:** Um, not much because, well, not much
13 well to be speaking to other drugs, I was making enough to
14 support myself and buy food. So, I was probably making
15 \$150 a month or something like that.

16 **DEPUTY COMMISSIONER LAM:** Okay. So, you, why did you
17 need to sell? You didn't have families that could help you
18 financially?

19 **INMATE MCNEAL:** Well, at that time, I did not have
20 any, I mean, that's an excuse to say that I didn't have
21 family supporting me. That's the truth, but still that's
22 an excuse. I did it because I was greedy, I threw my
23 morals out the window and I made excuses for my behavior.
24 That's why I did it because I was greedy, materialistic
25 and I made excuses for anything I wanted to do. And, um,

1 and, and I didn't care. I did not have been family support
2 at that time, but that's an excuse.

3 **DEPUTY COMMISSIONER LAM:** So we didn't see anything
4 for about 10 years, uh, and then boom, you get two cell
5 phones, one in 2013, one in 2014. What's the excuse this
6 time?

7 **INMATE MCNEAL:** Um, um, I, an excuse for that
8 behavior, I would say, I went back, I went back into my
9 same thinking where I said, hey, I'm not hurting anyone. I
10 can have a cell phone. I'm just calling it, I'm just using
11 it to talk to my daughter and communicate. The truth was
12 that I was using it for convenience. I threw the rules out
13 the window and made excuses for my behavior that, hey, I'm
14 not doing the same thing as these other guys. I'm not
15 selling drugs with it. I just threw the rules out the
16 window and decided to do what I wanted to do and not take
17 responsibility for the real reason why I had it was just
18 because I wanted it.

19 **DEPUTY COMMISSIONER LAM:** Okay. Why? Why, sir? Why?
20 You know, better of all these inmates in there, you know,
21 better. Why did you decide to be a criminal, continue to
22 be a criminal?

23 **INMATE MCNEAL:** Well, I made the choices to continue
24 to be a criminal because I had not completely changed. I
25 was in the transformation process. As I said, I grew up

1 from a young age and again, not blaming my mother, but I
2 grew up with a lot of years of indoctrination of this
3 criminal behavior. As an adult, I continued to make the
4 choices. And, and it was up to me to be able to catch
5 myself and, and, and recognize my triggers and my warning
6 signs for when I'm starting to get into this behavior,
7 when I'm starting to get into denial and when I'm starting
8 to make excuses for me to engage in this criminal
9 behavior. Yes, I was a probation officer. Yes, I was a
10 person with a bachelor's degree in criminal justice. And I
11 should have recognized, I should have recognized it. I
12 should've recognized it, excuse me. But the truth is, the
13 upbringing and the, and the choice as an adult, the
14 conscious choice to continue as an adult, uh, it was
15 ingrained in me and it took a lot of years of self-help.
16 And that's why you see that I've been engaged in self-help
17 for over 15 years. I've been a work in progress and I
18 believe I had to conquer all my demons. And when I had the
19 cell phone, I slipped back into my old thinking that these
20 rules didn't apply to me, that I can make excuses for my
21 behavior. I'm not doing what these other guys are doing.
22 I'm not selling drugs with it. I'm just trying to use it
23 to talk to my family. I made excuses for what I wanted to
24 do. And luckily, since that time, I've taken self-help
25 groups and I've learned to recognize these, these defects

1 of character that allow me to slip in and out of that.

2 **DEPUTY COMMISSIONER LAM:** Okay. But by your own
3 statement, you've already taken at least, what? Seven,
4 eight, nine years of self-help, but you slipped back. How
5 do we know, how do we know you're not going to slip back
6 again, sir?

7 **INMATE MCNEAL:** Uh, well, I've remained, number one,
8 I've remained violence-free. Uh, my entire 23 years that
9 I've maintained these groups since 2000, since 2014. That
10 was the last time I had a glitch. But I've constantly
11 remained engaged in these self-help groups. And I agree
12 that maintenance is necessary in any self-help groups for
13 life. There was a saying in one of my self-help groups in
14 LTOP and they would say that even when you take groups for
15 whatever it is, alcohol, drugs, criminal behavior, there's
16 a saying that they say, and they say the beast is asleep
17 that's not dead, and you need constant maintenance and
18 constant reaffirmation to change your criminal behavior.
19 You did not start engagement with criminal behavior
20 overnight and you are not going to change your thoughts
21 and your belief system overnight. So, it takes time. And
22 sometimes, uh, you can slip. And I believe that overall,
23 my record has demonstrated that I am capable of adjusting
24 and continuing my groups and living a crime and violence-
25 free life. And I've recognized my warning signs, my

1 triggers, and have adopted coping mechanisms to deal with
2 anything like that again and to not be tempted.

3 **PRESIDING COMMISSIONER LONG:** Commissioner, can I, I
4 just want to pipe in while we're still talking about, uh,
5 inmate disciplinary. So, um, it looks like on April 29,
6 2002, they found 0.4 grams of marijuana and 0.15 grams of
7 heroin in your cell, correct?

8 **INMATE MCNEAL:** Uh, that's correct.

9 **PRESIDING COMMISSIONER LONG:** And, uh, why were you,
10 why were you charged with that?

11 **INMATE MCNEAL:** Uh, well, I wasn't charged because
12 that, and I'm not excusing any behavior, but that was my
13 <inaudible>, that was my cellie's. As I said, when I
14 entered that cell, he was already selling drugs. Um, yes,
15 I was involved so, uh, I, I can't say I knew it was in the
16 cell or whatever. I don't remember as far as at that time,
17 but they found it in the cell. I was involved in it. I, I
18 was not charged because either he accepted responsibility
19 for it, I believe he accepted responsibility for it and
20 mine was dismissed because it was his. But at that time,
21 if it was 2001, 2002, I was involved in drug sales, uh,
22 with him.

23 **PRESIDING COMMISSIONER LONG:** Okay. Yeah, it was
24 April 2002. Okay. Go ahead, Commissioner.

25 **DEPUTY COMMISSIONER LAM:** No problem. So, you've done

1 a lot of self-help. I mean, the LTOP modules, GOGI, AVP,
2 Domestic Violence, Victim Impact, you name it, and I
3 believe you facilitate some of them?

4 **INMATE MCNEAL:** Uh, yes. I facilitated several groups
5 of, I create, I helped create some groups at length,
6 actually Special Inmate Committee and the Behavioral
7 Awareness group. Uh, I've been a facilitator for AVP and
8 I'm a certified GOGI coach. That's my number one group and
9 I teach GOGI to this day. Currently, I'm a Sergeant of
10 Arms of the GOGI group here on this facility. Uh, I've got
11 a lot of self-help, so I don't know how much you want to
12 know.

13 **DEPUTY COMMISSIONER LAM:** Well, I, I, I've looked
14 through them, trust me. Uh, what groups are you in right
15 now?

16 **INMATE MCNEAL:** Uh, currently, I'm in a Domestic
17 Violence class. Uh, I'm in CGA. I'm in the veterans group,
18 uh, uh, veterans group and, uh, yeah, CGA, veterans group,
19 GOGI and Domestic Violence.

20 **DEPUTY COMMISSIONER LAM:** And what have you learned
21 about domestic violence, sir? What, what skill sets have
22 you learned so you don't, there won't be a repeat?

23 **INMATE MCNEAL:** Well, number one, in domestic violence
24 is the number one thing I had to learn. And I understand
25 what you said earlier about if, if, if she was attacking

1 me that it was okay to restrain her. But one thing I've
2 learned in Domestic Violence is that, that I was abusive
3 and I am responsible for my own behavior. I didn't think I
4 was abusive back then because I excused even restraining
5 her and said that that wasn't violent. So, I had learned
6 that, that I was abusive. And so, that was a big step to
7 be able to say that I was abusive. I've also learned why I
8 was involved in mutually abusive relationships and didn't
9 leave. And I, and, uh, you know, I learned that from my
10 childhood, being insecure and having the eye problem that
11 I had and, and moving around, I latched on to, to women, I
12 latched onto women and some of these women, they were
13 unhealthy as I was. They didn't know how to, they didn't
14 know what a healthy relationship was either. So, I learned
15 that and I learned that I don't need a woman to make me
16 feel loved, and that it's much better to be and not be in
17 a relationship at all if it would be in an unhealthy
18 relationship.

19 **DEPUTY COMMISSIONER LAM:** Okay.

20 **INMATE MCNEAL:** Finally, I looked, finally, I learned
21 all about the cycle of violence and how that manifested in
22 my relationship with Debra. Uh, for example, the cycle of
23 violence, the first stage, you know, is the tension
24 building phase. And I say that in my relationship with
25 Debra, that would start out with the, hey, talking about

1 the, my children coming to visit or child support issues
2 or issues with my ex, that would go into calling names and
3 disrespect. And that's the tension building phase often
4 referred to as walking on eggshells. So, I believe in our,
5 my relationship, I believe both was walking on eggshells.
6 I was waiting for her to start destroying property and she
7 was waiting for me to put my hands on her and abuse her.
8 So, we were, we were both involved in a mutual cycle of
9 violence. Uh, then the next step in the cycle of violence
10 is abusive incident, which of course would be the
11 restraining her. Uh, in my case, it was the restraining
12 her. And then finally, there's the honeymoon phase and
13 both Debra and I, we'd have these incidents, uh, and
14 you've seen some of the incidents where she took all the
15 food out of the refrigerator and threw it all over the
16 floor. Well, then after she did that, she calmed down and
17 we'd go clean it up together and ended up making love. And
18 that's the final stage of, that's the final stage of the
19 cycle of violence where you, you make up and, oh,
20 everything's supposed to be better. And then the, and then
21 the tension building phase just starts all over again.

22 **DEPUTY COMMISSIONER LAM:** Okay.

23 **INMATE MCNEAL:** So those are the things I learned from
24 my Domestic Violence classes and continue to learn.

25 **DEPUTY COMMISSIONER LAM:** And what would you do

1 different if you could turn back time with the volatile
2 relationship you had with Debra? What, what decisions
3 would you have made differently?

4 **INMATE MCNEAL:** Um, well, um, if you're talking
5 specifically with Debra, but I mean, I should have
6 recognized my character defects before I was ever involved
7 in relationships, so, but I can talk specifically about
8 Debra. I wish I would have recognized my character defects
9 and not, and not allowed my upbringing or my work thinking
10 to, in any of my relationships. Uh, but with Debra, I
11 mean, I wish that I would have recognized, um, the signs
12 immediately when we first start to date. I wish I would
13 not have moved so fast. Debra and I, uh, met, I believe in
14 July and then married in November of the same year. So, I
15 wish I would not have moved so fast. I wish that I...

16 **DEPUTY COMMISSIONER LAM:** What were the signs when you
17 said signs?

18 **INMATE MCNEAL:** Um, well, when we first started out,
19 when we started having problems, uh, any kind of violence,
20 I don't ever want to be in a position and I wish I
21 wouldn't have allowed myself to get in the position where
22 I started to see, okay, we're starting to have these
23 incidents. When I first started seeing incidents of
24 violence from she or I, I wish I would have stopped and
25 either asked for help at that time or left the

1 relationship at that time.

2 **DEPUTY COMMISSIONER LAM:** Okay. You're speaking in
3 generalities. I like more specifics. What were the signs
4 when you started dating Debra that told you there was a
5 problem?

6 **INMATE MCNEAL:** Okay. It was, it was, uh, one of the
7 first signs I saw is, uh, shortly after she moved from
8 California, um, she, there was a problem with my kids, as
9 there always was. There was a problem with my kids and
10 with my ex and child support. And she became extremely
11 angry and I saw something I had never seen in her. She got
12 a glazed look on her face and she told me, you told me
13 that you loved your kids' mother and you want to leave me
14 for her. That conversation had never happened. And that
15 even at the beginning of the relationship, I was like,
16 wow, this, this is strange. Why is she repeating things,
17 saying things I never actually said and talking about
18 events that never actually happened. And so, that was,
19 that was the first one that maybe I wish I would have
20 recognized that in God's help. Then of course it would be
21 the first incidence of any kind of violence where she
22 started cutting up clothes with knives and things like
23 that and, and became extremely agitated. And I wish I
24 would have, when I started, when I started seeing these
25 signs of violence and also not to mention that she started

1 saying things like, I don't like your kids and I don't
2 want them to come over here, those should have been red
3 flags to me.

4 **DEPUTY COMMISSIONER LAM:** Okay. So, you're dating a
5 woman who does that today. What would you do differently,
6 sir?

7 **INMATE MCNEAL:** Um, number one, I, I would say I
8 wouldn't, number one thing I know that I can do is I can
9 ask for help. I can, I can, I can ask for help. I have a
10 support system. I'm going to be attending groups out
11 there. I have a lot of people who care and I have other
12 organizations or groups that, that I can care. I don't
13 want to be, uh, I'll get more specific. I have, uh,
14 California Innocence Project. They've committed to helping
15 me out. The Anti-Recidivism Coalition. I have PREP. I have
16 my parole officer. I have a transitional home staff. I
17 have, um, uh, numerous friends. I know how to seek help.
18 In my parole plans, I have a long list of agencies that
19 provide, uh, Domestic Violence, Victim Awareness, Criminal
20 Thinking classes. I'm going to leave any kind of
21 relationship, especially if I'm so lucky to be granted the
22 date.

23 **DEPUTY COMMISSIONER LAM:** Okay.

24 **INMATE MCNEAL:** Uh, I must say, I am leaving the
25 relationship at the first sign of any kind of violence on

1 either side. Uh, however, I know how to seek help, and I
2 can take advantage of my support system and attend groups,
3 uh, and use my 12 tools of GOGI as well.

4 **DEPUTY COMMISSIONER LAM:** Okay. So, you know, the cell
5 phone, it always worries us when we see an inmate with a
6 history of drug sales possessing cell phones. And I
7 believe you mentioned you did not use it to continue with
8 drug sales and drug trafficking, correct?

9 **INMATE MCNEAL:** Absolutely. Uh, if you will notice on
10 the time of the drug sales, it's between 2001 and 2003,
11 and that was why I was in the cell with that particular
12 cellie. No excuses, I was involved. That was why I was in
13 the cell with that particular person. After that time, I
14 never sold drugs again.

15 **DEPUTY COMMISSIONER LAM:** Okay.

16 **INMATE MCNEAL:** The cell phones came about 2013 and
17 2014, and they were not used to sell any drugs. I mean,
18 they're still illegal and they were wrong and I made
19 excuses for my actions, but they were not used to sell
20 drugs. And I've taken NA and AA classes even though I
21 don't have drug and alcohol problems. And I, I've
22 recognized and I understand the damage that, that, uh,
23 drugs and alcohol can do to people. And I did not use cell
24 phones to, uh, contribute to that criminal behavior.

25 **DEPUTY COMMISSIONER LAM:** All right. So, when do you

1 think you actually may turn the corner? I mean, we know
2 it's not 2014. So, when did, when did that all sink in to
3 become a pro-social and law-abiding human?

4 **INMATE MCNEAL:** Well, uh, I believe I was on the way
5 prior to those convictions, I, uh, to those convictions
6 for the cell phones, I was on the way. But I do believe
7 after that time, because it was 2010, 2011 when I finally
8 did the personal inventory and I said that I am not the
9 person that I think I was. So, that's when I began, but I
10 was not a perfect person after admitting that. Uh, so I, I
11 had a relapse there in 2014, but after 2014, I believe
12 that second cell phone, cell phone, um, guilty finding
13 was, that set it in, that set it in action because, you
14 know what I said, as you mentioned, you said, hey, for 10
15 years, actually from 2000 when I came in to 2013, 13
16 years, I had been disciplinary-free. And when I got that
17 second cell phone, I said, I am messing, I am messing up.
18 And I am still not, um, thinking, and I'm still having
19 this work belief system and I need to buckle down and I
20 need to increase the amount of groups I'm taking and I
21 need to find out why I'm still engaged in this type of
22 behavior. And if you'll see after 2014, that's when I
23 began to take GOGI. And I never had a drug and alcohol
24 problem. So, NA and AA, they were good, especially step
25 four about showing me who I really was. However, GOGI was

1 the best group for me because it's all about positive
2 decision making. So, my thing was not about drugs and
3 alcohol or gangs. I made messed up decisions when I was
4 perfectly sober. So, I needed to work on my decision
5 making. So, after, after the cell phones in 2014, that's
6 when I started taking GOGI, and GOGI has been the best
7 group for me. I have been taking GOGI. I've become a
8 facilitator. I've been teaching. And that's the group that
9 works for me because it's not about alcohol, drugs or
10 gangs. It's about making decisions when you're perfectly
11 sober and, uh, in GOGI, my favorite group, my favorite
12 tool, excuse me, is positive thoughts because I believe
13 you're not going to do anything positive, negative,
14 positive or negative if your thoughts are right. If you
15 have positive thoughts, you're going to have positive
16 actions and positive work. And so, that's what turned the
17 corner for me. After 2014 when I got caught with that cell
18 phone and I started taking GOGI and that fit, that group
19 fits for me because I was sober, as I said, and it was all
20 about my decision making when I was perfectly sober.

21 **DEPUTY COMMISSIONER LAM:** Okay. I'm glad to hear that.
22 So, so you, you, you submit it over 60 laudatory chronos.
23 There was one that, that stood out for me and, uh, well,
24 they all say wonderful things about you, but there was a
25 June 30th, 2014 chrono where you helped out a staff who

1 went to the doctor because you noticed something?

2 **INMATE MCNEAL:** Uh, absolutely. And, um, I'm going to
3 be perfectly honest with you because you asked me about
4 how, uh, how was I, I cold and things like that. And there
5 was a staff in my, um, that worked in medical with me and,
6 uh, psychologist actually, and he came to work and his,
7 um, his eyes were yellow, like a highlighter. I mean, I've
8 never seen a human being with the pupils of their eyes
9 yellow like that. And, um, I, I approached him. I said,
10 hey, Mr. Saavedra, feel okay? Your, your eyes are yellow.
11 And he said, he said, yeah, I'm not, I'm not feeling good.
12 He said, I might go to the doctor after work. And I told
13 him, look, I know I'm an inmate, I said, but you need to
14 go look in the mirror and look at your eyes. I said, uh,
15 forget the meeting you have to go to. Uh, by the way you
16 look, I don't know if you're going to make it to the
17 meeting. And, um, he said a few things like, oh, no, I'll
18 be okay. And I said, really, look. I said, uh, you need to
19 look at that. You need to look at that. And so, finally,
20 he went, he looked in the mirror and he said, wow. And,
21 um, he ended up leaving work immediately and he went to
22 the hospital and he was rushed into emergency surgery. Uh,
23 his gallbladder was about to explode. But I would say
24 that's one of the ways that I've shown that I've, I've
25 developed my empathy. I don't think, I can't say I never

1 had it, I just never let it come out. And now, I had
2 empathy for this person. And I'll be honest. When I first
3 came in, even though I was a probation officer, I
4 probably, prior, I probably would have said, oh, hey,
5 that's a staff member. I don't care. That's none of my
6 business. You know, and, and not that I didn't have any of
7 empathy for him, but I would say I'm going to mind my
8 business because I'm an inmate. But over time, I've
9 developed my empathy and I've had these groups and helping
10 people has been like, I mean, we're talking about
11 developing empathy. There's been nothing better for me
12 than helping all these people, tutoring inmates, uh,
13 working with disabled inmates, writing letters for inmates
14 who don't, who are illiterate, uh, being of service to
15 other and helping these other guys out has been the number
16 one thing to develop my empathy because I was cold before
17 and I believe if someone had a problem, you need to handle
18 it yourself because that's the way I thought that I was
19 raised and I was, hey, if I had a problem, no one was
20 listening to me and I had to deal with it on my own.
21 Through these groups and through helping people, that has
22 been so freeing and, you know, everybody has problems and
23 we all need help some time. And my empathy and compassion
24 has been just like off the charts as you can see by my
25 self-help groups.

1 **DEPUTY COMMISSIONER LAM:** Okay. So, as far as parole
2 plans, you have a lot of, uh, acceptance letters here.
3 What is your first choice? I believe, was it PREP?

4 **INMATE MCNEAL:** Um, yeah. My first, my first choice is
5 with PREP. It's called Clear Skies Ranch in Los Angeles
6 County. I have several other acceptance letters should
7 they not have, uh, uh, a bed open, but my first choice is
8 with them on Stagg Street.

9 **DEPUTY COMMISSIONER LAM:** Okay. And you, you have some
10 money set aside, you have, you have some money set aside
11 by Jennifer. I guess It's your...

12 **INMATE MCNEAL:** Uh, yeah.

13 **DEPUTY COMMISSIONER LAM:** She died of cancer. Is that
14 right?

15 **INMATE MCNEAL:** Yes. Um, yeah. She, um, yeah, she and
16 I worked together since 2013. We were friends and then
17 developed a relationship and, uh, yeah, she died of cancer
18 on October 21st, uh, 2018. And she left me the money in
19 that Edward Jones account, uh, to help with my transition
20 along with, uh, some furniture and, and the car, uh, a
21 Honda Civic.

22 **DEPUTY COMMISSIONER LAM:** Okay. And as far as, uh,
23 financial support, uh, I believe you mentioned you want to
24 work as a case manager or a home inspector and you also
25 want to work <inaudible>?

1 **INMATE MCNEAL:** Yeah, well, um, you know, I, I'm being
2 realistic about coming out. Um, based on my background,
3 although I was a corrupt individual, based on my
4 background of being a probation officer and, um, my
5 education, and then combine that with the incarceration, I
6 think that I'm well suited to get a job as some kind of,
7 um, uh, person as a case manager or counselor that's
8 working, uh, with the new model that CDCR is doing with
9 recidivism, with a rehabilitation model in the street. I
10 know those jobs are plentiful. I know that they're felon-
11 friendly and I won't have to worry about being convicted
12 or being on parole. And that I would be a good candidate
13 based on having the education and experience of running
14 groups in here plus my prior experience.

15 **DEPUTY COMMISSIONER LAM:** Okay.

16 **INMATE MCNEAL:** If that were not to happen, I have the
17 HVAC, the home inspection I could fall back on. And I'm
18 currently in training, uh, to be a peer tutor/mentor,
19 which this certification transfers to the outside and you
20 could become a tutor on the street and well, I've been
21 told by the instructor is they're paying \$50 an hour right
22 now for, uh, tutors out there.

23 **DEPUTY COMMISSIONER LAM:** Right. Did you complete any
24 other vocations?

25 **INMATE MCNEAL:** Um, yeah. The ones I just mentioned.

1 I, I completed, uh, HVAC. I completed officer. I just
2 completed office services here a couple of weeks ago. I
3 got the certificate. I completed office services. I
4 completed the home inspection and, uh, I'm currently that,
5 which I believe counts as a both currently in the peer
6 mentor/tutor program, which, uh, I may finish that
7 training in a couple of months and it's transferable to
8 the outside as well.

9 **DEPUTY COMMISSIONER LAM:** Okay. All right.

10 **PRESIDING COMMISSIONER LONG:** I'm sorry. Voc computer
11 and related technology, not office services.

12 **INMATE MCNEAL:** Oh, yeah. That, yeah, they changed the
13 name. Yeah, computer related technologies is the name of
14 it. Yes.

15 **DEPUTY COMMISSIONER LAM:** Yeah. I think it's the same
16 right now. Okay.

17 **INMATE MCNEAL:** Yeah, it's the same.

18 **DEPUTY COMMISSIONER LAM:** All right. And who is going
19 to be your immediate circle of support?

20 **INMATE MCNEAL:** Um, I have, uh, uh, Faye Kennedy,
21 which is Jennifer Kennedy's mom, although she's out, she's
22 out of state. Uh, I have, um, <inaudible>, which is, uh,
23 Jennifer Kennedy's daughter. I have, uh, excuse me?

24 **DEPUTY COMMISSIONER LAM:** Go ahead.

25 **INMATE MCNEAL:** Someone say something?

1 **DEPUTY COMMISSIONER LAM:** No, no. Somebody moved
2 something.

3 **INMATE MCNEAL:** Okay. Yeah, I have, uh, <inaudible>
4 who's my, uh, uh, Jennifer Kennedy's adult daughter. Uh, I
5 have Vicky Coddington who's a friend I actually grew up
6 with and she lives here in Corona. Um, I have Tracy Buck.
7 She's a friend that I met and she, uh, her and her
8 husband, well, her husband just passed away, but she lives
9 in Orange County, uh, and she's got the support letter in
10 there and she says, not only is she my friend, but she
11 will hold me responsible for any bad thoughts or behavior.
12 And those are the personal people I have. I have my sister
13 who is in Michigan and so, she'll support me from, uh,
14 from long distance. Uh, and then I have a whole list of
15 other agencies that I listed earlier. I don't know if you
16 want to hear them again, but...

17 **DEPUTY COMMISSIONER LAM:** No. I, I, I've seen all the
18 letters from all the support. I'm just trying to get an
19 idea practically who's going to be your immediate, uh,
20 circle of support. All right. Anything else about your
21 parole plans or your programming? Anything I missed?
22 Anything you wish to highlight further, sir?

23 **INMATE MCNEAL:** Um, yeah. Uh, recently, uh, there's a
24 book that I wrote, uh, for GOGI and it's called Daily
25 GOGI. And I wrote that to help other people and not create

1 other victims. And I donated the, I wrote the book and I
2 donated it to, uh, to GOGI for consideration to try to
3 help people, uh, not engage in further criminal behavior.
4 And I believe Laura is holding it up there a copy of, a
5 copy of the book. It's a daily devotional kind of like a
6 daily bread, but instead of religious, it's about positive
7 affirmations and getting your positive motivations for
8 every day. So, that, that book there she's holding, I
9 wrote that for them. And just recently, we would have
10 submitted it in the 10-day packet. Uh, I received another
11 book for GOGI where some of my comments on, uh, victim
12 awareness were published in their new Victim Awareness
13 book. So, I have actually, so actually I had some comments
14 published, some of my writings on victim awareness are
15 published in this book, which just came a couple of days
16 ago and we were not able to submit to you.

17 **DEPUTY COMMISSIONER LAM:** Very nice. All right.

18 Anything else?

19 **INMATE MCNEAL:** Um, I believe we covered it all.

20 **DEPUTY COMMISSIONER LAM:** Okay.

21 **INMATE MCNEAL:** There'll be something I remember
22 afterwards I wish I would've said, but...

23 **DEPUTY COMMISSIONER LAM:** Yeah. Chime in if, if, uh,
24 you remember. All right. I'll return to the chair.

25 **PRESIDING COMMISSIONER LONG:** So, um, as far as the

1 risk assessment conducted by Dr. Carman on June 17, 2020,
2 did you learn anything from it?

3 **INMATE MCNEAL:** Um, well, uh, it was interesting. I
4 was prepared. I mean, I was prepared, uh, because I've
5 taken all the groups that I've taken. So, um, I don't feel
6 I was surprised. I mean, I'm thankful for the low risk
7 assessment definitely. However, uh, I feel that it was
8 natural. It was a conversation. I, I feel that it was just
9 a natural flow and exchange of ideas and speaking my
10 truth.

11 **PRESIDING COMMISSIONER LONG:** So I'm curious to know,
12 um, Governor Newsom commuted your sentence to, uh, make
13 you eligible for parole, uh, quite a few years earlier
14 than you would have. Did you apply for that commutation?

15 **INMATE MCNEAL:** Yes, I did.

16 **PRESIDING COMMISSIONER LONG:** Why?

17 **INMATE MCNEAL:** Along with, along with the California
18 Innocence Project, uh, who were representing me. So, I'm
19 sorry. Did you say why?

20 **PRESIDING COMMISSIONER LONG:** Yeah.

21 **INMATE MCNEAL:** Uh, well, although I take
22 responsibility for badmouthing my wife to my brother and I
23 do, do feel that the sentence was fair in that, I feel as
24 if I'm, uh, I feel as if what I did, I put myself in this
25 situation. Whether you, whether someone believes whether

1 I'm innocent or not, I acknowledge that it was my
2 statements, uh, to this violent person who I knew had
3 pulled a gun on the mother and grandmother of my kids and,
4 uh, tried to kill my stepfather and my callousness,
5 selfishness, thinking about my own self, demonizing her. I
6 ask myself if not for my actions, would my wife and child
7 would be alive today? And I have to say, yes, they would
8 be were if not for my statements to him. So, I filed for
9 the, so why did I file for clemency? Yes. Although I am
10 responsible for badmouthing her, I still would like the
11 truth to come out. I still would like the truth to be out,
12 come out. But I'm okay if nothing happens because I know
13 that I put myself in this position. So, I knew I made
14 everyone believe that I was guilty through my own actions.

15 **PRESIDING COMMISSIONER LONG:** I'm going to read a
16 little bit from page 10. It says, Mr. McNeal denied
17 committing the life crime. He discussed his innocence and
18 his Attorney sent documents supportive of his innocence.
19 Even if one finds his claim of innocence implausible, his
20 discussion of other contributing risk factors presented as
21 very insightful and suggestive of an improved ability to
22 recognize and internally manage his own risks,
23 particularly as they relate to domestic violence and
24 healthy relationships. Thus, even in denying the life
25 crime, he reflected a great deal of insight into other

1 risk factors and all he presented is quite genuine in
2 discussing the harm he has historically caused directly
3 and indirectly in a very deep and meaningful way. Both
4 records and his discussion reflected he was relatively
5 high functioning in the community prior to the life crime
6 and in prison despite saying he's been wrongly convicted.
7 He has approached this sentence with a positive attitude.
8 Truly, he had a couple of glitches with cell phone use and
9 selling heroin many years ago, but he readily accepted
10 responsibility for this. He admitted to undetected crimes
11 such as theft when he could've just as easily lied. It was
12 evident in the discussion that he's embraced change and
13 has addressed negative aspects of his past. Uh, that he
14 made important changes earlier in his sentence prior to an
15 earlier opportunity to parole leaves the impression of
16 more sincerity and the changes he has made since they have
17 been more longstanding and not instigated by his upcoming
18 hearing. He exhibited good insight into the historical
19 risk factors in a manner that was highly impressive. His
20 insight combined with remorse and empathy appear to have
21 decreased his risk for violence. And the doctor goes on to
22 opine on page 11 that if granted parole, Mr. McNeal
23 presents a low risk for violence. So, why don't we take a,
24 let's take a, we've been on for quite some time here.
25 Let's take a five-minute recess so everybody can get a

1 restroom break. Uh, that sound good?

2 **DEPUTY COMMISSIONER LAM:** That's good.

3 **DISTRICT ATTORNEY LASKY:** That sounds good. Thank you,
4 Commissioner.

5 **PRESIDING COMMISSIONER LONG:** All right. Thank you.
6 It's 11:18.

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[RECESS]

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1 **DEPUTY COMMISSIONER LAM:** We're back on record.

2 **PRESIDING COMMISSIONER LONG:** Okay. The time is 11:36
3 and everybody that was here previously, uh, remains on the
4 call. Um, and so, before we, um, go to clarifying
5 questions, Commissioner Lam, do you have any, uh, any
6 further questions that you'd like to ask?

7 **DEPUTY COMMISSIONER LAM:** None at this point. Thanks.

8 **PRESIDING COMMISSIONER LONG:** Okay. Very good. Uh,
9 Deputy DA Lasky, do you have any clarifying questions
10 you'd like us to ask on your behalf?

11 **DISTRICT ATTORNEY LASKY:** Yes. Thank you,
12 Commissioner. I am wondering if the inmate received the
13 cell phone violation in October of 2014, how long prior to
14 that violation had he possessed that cell phone?

15 **PRESIDING COMMISSIONER LONG:** We also have one in
16 2013, but how, how long, uh, did you have that particular
17 cell phone before you got caught?

18 **INMATE MCNEAL:** Uh, I believe I had it about six to
19 seven months. Uh, and, uh, the one in 2013, I had that one
20 for about six or seven months, and I believe there was a
21 six-month gap where I didn't have one and then I got the
22 second one. So, that clarifies anything for you.

23 **PRESIDING COMMISSIONER LONG:** So was it about, um,
24 your lack of impulse control that you went ahead and did
25 this despite knowing it was against the rules?

1 **INMATE MCNEAL:** Um, well, as I said, making, making
2 excuses for my behavior, lying to myself, that, that had
3 been, that's one of my character defects and that's,
4 that's one that I was working on. So, since I had the
5 habit of saying that either I was better than other people
6 or I'm not like these, "these other criminals," I, I
7 excused my behavior because in my eyes, I'm just doing it
8 to talk to my daughters. At the time, as you know, my
9 younger daughter died of a seizure, so that was the excuse
10 that I used. She, she hadn't passed away yet, but my, uh,
11 my kids' mother, Amber Long, had put her into a facility
12 because she had mental disability. So, I told myself, um,
13 that that's why I had them to try to keep in touch with my
14 daughter and, you know, my, my kids' mother was putting my
15 daughter in a home and I didn't want my daughter in a
16 home. Part of that may be partially true, but that's not
17 the reason because I mainly used it for entertainment,
18 talking, looking up things I wanted to look up. So, I
19 excused my behavior. I made excuses for my behavior. I was
20 in denial and I fell, I fell into my old character defects
21 of, uh, having morals until those morals didn't fit my
22 needs. And so, that's...

23 **PRESIDING COMMISSIONER LONG:** So, so let me ask, let
24 me ask you this.

25 **INMATE MCNEAL:** Yes.

1 **PRESIDING COMMISSIONER LONG:** You, um, hadn't had a
2 commutation of sentence yet so at that point in time, um,
3 you still thought you had a couple of decades left to do
4 in prison. Am I right?

5 **INMATE MCNEAL:** Um, at that point in time, I don't
6 believe, uh, uh, lifers were getting out. I knew I had my,
7 my time, uh, uh, yeah, I still have time to Board.

8 **PRESIDING COMMISSIONER LONG:** And so, was that a
9 factor in you saying that I can, I can break rules now
10 because I'm not going to Board for many, many years?

11 **INMATE MCNEAL:** Uh, no. Actually, it wasn't because,
12 uh, as I said, when I got the second write-up, I was
13 disgusted at myself that I had messed up. I had a
14 perfectly clean record, although I had engaged in behavior
15 I had not been caught for such as the drug sales, but I
16 was upset at myself that I had messed up a record of 11
17 years without having any write up. So, I was upset at
18 myself in general. I always believed I had a chance to get
19 out. I always believed I was fighting to get out the whole
20 time I've been in here. So, I didn't do...

21 **PRESIDING COMMISSIONER LONG:** Okay. That's good. Next
22 question. Next question, please.

23 **DISTRICT ATTORNEY LASKY:** Thank you, Commissioner. Um,
24 on page 209 of the master packet, there's an investigative
25 report, um, a general chrono regarding an investigation

1 that took place on September 22nd and 23rd of 2014 where
2 the inmate was questioned regarding contacts that he was
3 having through Facebook with Mike Ramos, um, who's here
4 today and who was the, as he mentioned, was the trial
5 Attorney and at that time in 2014 was the elected DA. The
6 inmate told the investigator at that time that he was not
7 the one making the contact, that someone else had a
8 Facebook page in his name and that he did not have a cell
9 phone. Um, we now know that the inmate did in fact have a
10 cell phone at that time as he just testified to. Was it
11 also he who was, had the Facebook page with that cell
12 phone and was attempting to make contact with Mr. Ramos?

13 **PRESIDING COMMISSIONER LONG:** Did you use the cell
14 phone to maintain a Facebook page and try to contact Mr.
15 Ramos? Oh, you've got muted on that, on that side. Um,
16 hold on. We can't hear you.

17 **INMATE MCNEAL:** Can you hear me now?

18 **PRESIDING COMMISSIONER LONG:** Now I can hear you.
19 Thank you.

20 **INMATE MCNEAL:** Okay. Uh, no, absolutely not. At that
21 time, uh, I was, uh, I was involved in a relationship with
22 Jennifer Kennedy. She was running the Facebook page for me
23 and whether she reached out, I have no idea how Facebook
24 works. I don't know what the reaching out entails. I just
25 know you get friends. So, yes, I was using a cell phone at

1 the time and I was using it to look up stuff. But to this
2 day, I don't know how, I don't know how Facebook works. I
3 don't know how to sign up. I don't know how you establish
4 a friend. I don't know anything about it. And I would, and
5 if I had, I would definitely admit to it as I've admitted
6 to undetected behavior that I've done in here. Uh, but
7 Jennifer Kennedy, and I believe if you read the rest of
8 that chrono, it says in there that I said, Jennifer
9 Kennedy is running a Facebook page for me and she must've
10 done it. And I called her immediately and told her if she
11 was doing that, she needed to not do that. Uh, but she was
12 trying to get support for me with the, uh, with, uh,
13 Innocence and rallying people around me. She was trying to
14 get a support system for me. And to this day, I don't know
15 why she would have contacted Michael Ramos and, and had I
16 known how to do it, and, uh, I'm not making light or
17 little, I mean, light of it, I definitely would not have
18 tried to contact the District Attorney that prosecuted my
19 case.

20 **PRESIDING COMMISSIONER LONG:** Okay. Very good. Next
21 question.

22 **DISTRICT ATTORNEY LASKY:** Thank you, Commissioner.
23 Those were my only clarifying questions at this time.

24 **PRESIDING COMMISSIONER LONG:** Very good. Counsel, any
25 clarifying questions for your client?

1 **ATTORNEY SHEPPARD:** Yes. Just, um, I am unmuted. Uh,
2 yes. Just one thing I wanted to clarify about programming.
3 Um, the Panel had asked what Mr. McNeal was doing right
4 now and, uh, he listed some programs. Those were what you
5 were doing up until the pandemic until many programs were
6 frozen. Is that correct?

7 **INMATE MCNEAL:** Right. Correct.

8 **ATTORNEY SHEPPARD:** Right.

9 **INMATE MCNEAL:** Right now, yeah, I'm sorry.

10 **ATTORNEY SHEPPARD:** No, that's good. I was going to
11 ask is what are you doing right now during the pandemic?
12 Modified program?

13 **INMATE MCNEAL:** Currently, all self-help programs are
14 frozen. Uh, as you know, we are still in SOMS that we are
15 in these programs, but we're not able to attend because of
16 the, uh, you know, social distancing. Uh, so what I've
17 been doing is I have, as you see, I recently completed
18 the, uh, computer related technologies. So, we've been
19 going there. I've been studying for that. Uh, uh, I've
20 been assigned as a peer mentor/tutor, which is only four
21 positions. It's a brand new position CDC is creating and
22 we're basically getting the certification that teachers
23 get that we can, that we'll be able to take that
24 certification to the street and be able to tutor other
25 people. Uh, I help other inmates. I tutor inmates in here.

1 I help them with their Board preparation.

2 **ATTORNEY SHEPPARD:** Like that's something you're
3 doing during the pandemic is helping other inmates?

4 **INMATE MCNEAL:** Right.

5 **ATTORNEY SHEPPARD:** Like in the day room or what?

6 **INMATE MCNEAL:** Yeah, uh, in the day room. We do it in
7 the day room. Currently, my day room was closed, but it
8 can be on the day room or it could be on the bunks. Uh,
9 I've also been writing, uh, as you see, I was recently
10 published in the GOGI Victim Impact book so I've been
11 doing writing for them and I keep in contact with GOGI
12 through writing and, uh, sending my writings in to them
13 and sometimes getting published sometimes not, uh, but,
14 uh, I've made, I always help, I've always helped people. I
15 mentor other inmates. I try to help them with whatever I
16 can, whether it's tutoring them in math, which that
17 happens a lot. Uh, but I've done what I can to help, uh,
18 people, uh, not create more victims and improve
19 themselves. So, I kept busy during the pandemic and as
20 best I can.

21 **ATTORNEY SHEPPARD:** And you're in a dorm setting
22 right now, correct?

23 **INMATE MCNEAL:** Yeah, Correct.

24 **ATTORNEY SHEPPARD:** So you have a large quantity of
25 inmates that you are able to interact with and tutor, um,

1 even without having a day room or a yard available, right?

2 **INMATE MCNEAL:** Oh, absolutely. I mean, absolutely. I
3 mean, there's over, over a hundred inmates in the dorm
4 and, you know, there's always someone, uh, who, uh, need
5 some help with something or just, just has a question and
6 not tooting my own horn but, you know, a lot of people in
7 here, the furthest grade they went to was say seventh
8 grade or eighth grade. And a lot of times they have a lot
9 of questions and they need a lot of help. And, you know,
10 if, you know, I'm always going to help someone if I can
11 and, uh, tell them about GOGI and/or just help them with
12 whatever they're working on it.

13 **ATTORNEY SHEPPARD:** All right.

14 **INMATE MCNEAL:** That's how I'd spend my time.

15 **ATTORNEY SHEPPARD:** Thank you. That's all my
16 questions.

17 **PRESIDING COMMISSIONER LONG:** So, I just wanted to
18 ask one clarifying question of my own. It looks like from
19 the record, did you get five associate's degrees since
20 you've been in prison?

21 **INMATE MCNEAL:** Yes. Uh, yes, I did. I had a
22 bachelor's and associate's when I came in and I earned
23 five more since I've been in here.

24 **PRESIDING COMMISSIONER LONG:** Why?

25 **INMATE MCNEAL:** Um, you know what, uh, as I mentioned

1 earlier, or maybe I didn't mention it, but prior to my
2 arrest, the day I got arrested, I had graduate school that
3 night. I was working on my master's degree at Cal State
4 San Bernardino in national security studies. Uh, you know,
5 despite my criminal, uh, behavior, uh, I've always been
6 high on education and I came in here and they allowed me
7 to continue. And it's not so much for the degrees, whether
8 I had, whether I get all the degrees they offer, I will
9 still keep taking classes because I believe in keeping my
10 mind busy and, um, keeping myself engaged in positive
11 activities. So, I've gained all these, uh, associate's
12 degrees. It'd probably be hard for me to name each one of
13 the five because I really take them just to take the
14 college classes and, and keep my mind busy. So, I just
15 have to have the degrees, but I, I love learning.

16 **PRESIDING COMMISSIONER LONG:** Okay. So, we'll move on
17 to closing statements. I would ask both Attorneys to
18 please keep your statements to 10 minutes or less. And
19 we'll start with Deputy DA Lasky.

20 **ATTORNEY SHEPPARD:** Commissioner, I'm sorry to
21 interrupt, but being that this is a case where I need to
22 argue plausibility of my client's claim of innocence, I
23 may need a bit more than 10 minutes.

24 **PRESIDING COMMISSIONER LONG:** Well, we're quite a
25 bit, uh, we're already a couple of hours over, so, um, I'd

1 ask you to keep it as brief as possible. And if that's the
2 case, then we'll let Deputy DA Lasky go over as well in
3 the interest of fairness. So, uh, but just keep in mind
4 that we're, we're already two hours late for the next
5 hearing. So, go ahead, Deputy DA Lasky.

6 **DISTRICT ATTORNEY LASKY:** Thank you, Commissioner. I
7 doubt I'll go much over 10 minutes. Um, the, it is the
8 position of the San Bernardino County District Attorney's
9 office that the inmate continues to pose an unreasonable
10 danger to public safety and that his parole should be
11 denied. In analyzing the structured decision making
12 factors as they relate to the inmate, the people feel that
13 the aggravating factors outweigh the mitigating factors.
14 The inmate's criminal and parole history, while the inmate
15 didn't have any documented criminal history, the people
16 still feel that as an aggravating factor for the fact that
17 the inmate was a probation officer at the time of his
18 arrest for the murder. He was tasked with helping people
19 who had been convicted of committing crimes, um, integrate
20 themselves into the community and not commit crimes in the
21 future. And the fact that he would commit a murder while
22 doing that, um, causes great concern for the people
23 regarding his criminal and parole history and his criminal
24 thinking at the time of the murder. Um, so for that
25 reason, we would consider that an aggravating factor based

1 on criminal thinking. The people also feel that the
2 offender's self-control at the time of the murder was
3 clearly an aggravating factor. Um, the inmate and his wife
4 had a volatile relationship with many mutual domestic
5 violence calls. The victim was pregnant at the time of the
6 murder. The weekend before the murder, the victim pawned
7 her wedding ring and ransacked her house in a fit of
8 anger. The inmate described that the pawning of the
9 wedding ring was the victim's retaliation for him refusing
10 to allow her to throw a birthday party, a pizza party for
11 her daughter who had trouble with the law. But the
12 daughter will tell you that that is not the case. She was
13 not in trouble with the law. The inmate did not help with
14 her trouble with the school. And the reason that the
15 victim pawned her wedding ring was because the inmate had
16 emptied the bank account and the victim was unable to
17 purchase groceries. So, the inmate's, uh, statement of the
18 circumstances behind that is inaccurate. The morning of
19 the murder, the victim made an appointment with a
20 psychiatrist and asked the inmate to drive her to the
21 appointment because as Ms. Terrylynn Walker, who was there
22 that day, will tell you the victim did not have any gas in
23 her vehicle. Interestingly, today, the inmate said that he
24 checked his desk calendar, uh, for the information about
25 her appointment. Victim had only made the appointment

1 about 45 minutes before so it varies as to why or how that
2 ended up on his desk calendar in that brief period of
3 time. After returning home, and as the defense Attorney
4 will state, there's, inmate's statement of the timeline
5 does not fit with the facts of the case. Um, the inmate,
6 according to the witnesses, the inmate left, the other
7 probation officers left sometime between 12:03 and 12:10
8 from his office. Um, the next door neighbor, uh, testified
9 that she saw the victim's, inmate's vehicle parked crooked
10 in the <inaudible> 12:15. The phone call to the police was
11 made at 12:23. <Inaudible> home, uh, the inmate strangled
12 the victim, dragged her to the bathroom, wrote nigger
13 lover in toothpaste on the bathroom mirror. Detective
14 Lanahan testified at the trial that the handwriting
15 matched that of the inmate. The inmate repeatedly stabbed
16 the victim after she was already dead according to the
17 coroner's report. Inmate then further ransacked the house
18 to make it look like a burglary, toppling over a bookcase
19 over his own footprint in the blood. The inmate then used
20 bleach to try to clean up the blood <inaudible> himself.
21 There was a bloody footprint under an overturned bookcase
22 that matched the inmate's tennis shoes that officers
23 photographed while they were at the scene but that were
24 missing when officers returned later <inaudible>. The
25 inmate then filed an insurance claim claiming that things

1 were stolen that he knew she had pawned the weekend
2 before. It's not only the wedding ring, but also a
3 herringbone necklace, showing that he was more interested
4 in the financial benefit to himself than he was concerned
5 about the death and murder of his wife that he claims he
6 did not do. The inmate's relevant programming, I gave him
7 only a neutral. It would have been a mitigating factor
8 because he has taken extensive self-help for many years,
9 but he was in self-help when he committed his rules
10 violations. So, it's questionable what, if anything, he is
11 learning from the classes other than buzzwords and earning
12 chronos. So, I <inaudible> his extensive self-help only
13 warranted a neutral factor rather than a mitigating
14 factor. Inmate's institutional behavior is not extensive,
15 but the problem is it's recent. The inmate says that he's
16 changed but he possessed cell phones in 2013 and 2014, and
17 he lied about them. He lied to the, uh, hearing officer.
18 He claimed that Inmate Williams had the phone and asked
19 him to put it, put it in the bag and asked the inmate to
20 carry the bag and inside the box of macaroni and cheese.
21 And he didn't even know it was there, which was
22 implausible because why would, why wouldn't the inmate
23 just, other inmate just carry his own bag than hand your
24 bag on someone else. That's an implausible denial, just
25 like he has denial of the murder. And it was interesting

1 in the PREP acceptance letter, the inmate told PREP, "At
2 first, I tried to find some way to get out of them and now
3 accept responsibility and realize that criminality was
4 normalized and I had cell phones because I ignored the
5 rules and only cared about what I wanted." This is exactly
6 the same thing that happened with his murder. He ignored
7 the rules about murdering your wife and only cared about
8 what he wanted. He wanted his life to be more normal. He
9 wanted to not have a wife that had some psychiatric issues
10 and was destroying their property and making him look bad.
11 He wants his wife that he could control financially and
12 physically. He only cared about what he wanted. And today,
13 he told us that he made the conscious decision to lie for
14 his own benefit when he committed insurance fraud just
15 like he made the conscious decision to lie about the
16 possessions of cell phones. And in fact, in 2014, as we
17 saw, he lied to the investigators when they asked him if
18 he had a phone in September during the time when his
19 girlfriend, apparently according to him, was attempting to
20 make contact with Mr. Ramos when in fact, he did have a
21 cell phone that he could have, if he was really a changed
22 person at that time, hand it over to the investigators to
23 prove to them, to his benefit, that he didn't actually
24 have any social media on that phone and that he was not
25 the one making contact. But instead, he chose to lie and

1 continue his criminal thinking in 2014. In that regard,
2 the people feel that the offender change is also a neutral
3 factor. The inmate has numerous of what we call attaboys,
4 uh, letters from staff asking about his good behavior. But
5 is that really offender change? Because the inmate was a
6 probation officer and apparently a hard worker and helpful
7 prior to committing the murder. Being able to follow the
8 rules in a prison setting does not equate to being able to
9 live in a domestic <inaudible> not commit domestic
10 violence, especially not commit <inaudible> domestic
11 violence. They are not one and the same, but that does not
12 really show any offender change because he would have
13 received positive marks from his colleagues and
14 supervisors. In fact, I'm, one of my best friends is a
15 retired probation officer who actually knew Mr. McNeal and
16 reached out to me when she saw the news report that he's
17 got, he had been commuted and she actually commented,
18 yeah, we were really surprised because he was such a nice
19 guy at work. Even at work at the time of this murder, he
20 would have received the same attaboys. Uh, Ms. Sheppard
21 just dropped off. I don't know if she just closed her
22 video. I just want to make sure she's, didn't lost her.

23 **PRESIDING COMMISSIONER LONG:** Are you there? Okay.
24 Let's, let's go off the record until we re-established
25 contact. The time is 11:55.

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[RECESS]

1 **DEPUTY COMMISSIONER LAM:** We're back on record.

2 **PRESIDING COMMISSIONER LONG:** Okay.

3 **DISTRICT ATTORNEY LASKY:** Thank you, Commissioner. Ms.
4 Sheppard and I were able to discuss, and she, she heard,
5 uh, the end of my, uh, what I was speaking of before, uh,
6 she lost connection where I was discussing..

7 **PRESIDING COMMISSIONER LONG:** Very good. Its 1216
8 hours. So, I'll turn it back over to you, Deputy DA Lasky,
9 for your, uh, the conclusion of your, uh, closing
10 statement. Go ahead.

11 **DISTRICT ATTORNEY LASKY:** Thank you. As I was saying,
12 Ms. Sheppard and I were able to confirm that before she
13 lost signal, she heard my discussion of why I felt
14 offender change was only a neutral factor. So, I'll go on
15 with my closing from that point. I believe that the
16 inmate's release plan is a, is a mitigating factor. He
17 does have, uh, plans for his release and that is
18 commendable. And he had support in the community that he
19 has for what he can do to support himself. The case
20 specific factors on this case are aggravating. Um, the
21 inmate, as we discussed, uh, did have a cell phone. Um, he
22 says that he's not the one who created a Facebook page
23 because he did not turn that phone over to investigators.
24 As I said, we'll never know if that's true or not.
25 Unfortunately, the only person that we can ask

1 <inaudible>. In looking at the writings that the inmate
2 submitted in the 10-day packet, um, one of the things the
3 inmate said really struck me as perfect for not only this
4 hearing but at the time of the life crime. The inmate
5 said, "Use a sports analogy, I looked great on paper. I
6 was no longer trying to steal, embezzle things from work,
7 but inside, I was still the same morally corrupt
8 individual that had never been held accountable for his
9 actions." And that same sports analogy <inaudible> the
10 inmate today. He looks great on paper. He received a low
11 risk assessment. When you really delve deep into the
12 inmate, he is not as great of a candidate for parole as he
13 looks on paper and as he looked to the Governor for the
14 commutation. Um, he, uh, throughout his writings, he makes
15 his brother out to be the bad guy, the same brother who
16 supported him while he was going to school. Um, the same
17 brother who says that he wouldn't have let his brother
18 <inaudible> committed this murder and then allowed his
19 brother to take the fall for it. That would have negated
20 the purpose of committing the murder in the first place.
21 Um, it's, it's anachronistic to think that he would, that
22 his brother would kill his wife to make the inmate look
23 better and then allow the inmate to take the fall for
24 murder. Um, and the inmate says that he told his brother
25 about the, uh, victim's behavior three months before the

1 murder and then the victim visited Vegas the weekend
2 before the murder, including visiting inmate's brother.
3 The inmate's brother <inaudible> inmate didn't commit the
4 murder while the victim was in Vegas. He waited until she
5 left Vegas and then came to San Bernardino to commit the
6 murder in the inmate's own home, which would clearly
7 implicate the inmate. Um, it does not make any logical
8 sense. It is completely implausible. The comprehensive
9 risk assessment, as I seen it before, is a low risk
10 assessment. But one thing we have to understand is inmate
11 would have received a low risk assessment the morning of
12 the murder. 11:45 AM that morning, he would have received
13 a low risk assessment. He was not an individual who would
14 have been expected under any of the guidelines that we
15 usually look at for who would commit an act of such
16 extreme violence. The inmate is not one of those people.
17 The fact that he did that day makes us, make the low risk
18 assessment less relevant to determining the inmate's
19 actual threat to society. As the clinician said, inmate
20 presented with a history of <inaudible> grandiose sense of
21 self-worth, callousness and lack of empathy, poor
22 behavioral controls, early behavioral problems,
23 impulsivity, irresponsibility and failure to accept his
24 responsibility for his own actions. The inmate today even
25 talked about his inflated and grandiose sense of self-

1 worth, his callousness and lack of empathy. I find it
2 interesting that the inmate described many factors that
3 would have given him a diagnosis of antisocial personality
4 disorder in his writings, his theft starting at an early
5 age, um, but apparently did not tell the clinician enough
6 about those, um, to receive that diagnosis. Inmate does
7 not qualify for consideration under either youthful or
8 elderly parole. There are numerous victims here today. Uh,
9 family members of the victim. There are many letters, um,
10 in support of the victim's family and support of the
11 victim in the 10-day packet, um, including from, uh,
12 tribal presidents and tribal chairmen because as we know,
13 the victim was an indigenous woman. Um, there's also a
14 change.org petition, uh, discussing, uh, the community's
15 opinions on the inmate's rehabilitation, um, and that was
16 provided in counterpart to the inmate's own, um,
17 involvement with the Innocence Project. There is a lot of
18 discordant information in this case which the people feel
19 is aggravating. Uh, one thing that was discussed today was
20 the restraining order and the inmate tried to implicate
21 that the restraining order was only obtained so that she
22 could get money from him. Um, anyone in the criminal
23 justice system knows that's not what restraining orders
24 do. Restraining orders are not granted over finances. They
25 require a credible fact of physical violence for a court

1 to issue a restraining order. They have nothing to do with
2 money. Um, the only thing that money may have been
3 discussed in the restraining order, because according to
4 the family, the inmate, as we see in many domestic
5 violence relationships, the inmate controlled the finances
6 in the family and did not allow Debra to have access to
7 funds without his permission. There may have been money
8 discussed in the restraining order. The restraining order
9 does require a credible <inaudible>. There was a letter
10 provided on page 57 of the 10-day packet from the
11 California Innocence Project and they said that the
12 inmate's version of events has remained consistent over
13 time and is supported by the evidence. In fact, the
14 verdict was supported by the evidence. That's what the
15 jury decided. That's what the appellate court decided.
16 That's what the Superior Court decided when they denied
17 the inmate's, um, uh, writ from the Innocence Project. And
18 the inmate has changed his story because he wasn't at the
19 time blaming his brother, which he's now decided is a
20 convenient thing to do. And as even the Innocence Project
21 said in their letter, they're retrying to re-litigate
22 their case here because they have "litigated every viable,
23 legal claim to no avail." Clearly, the court, as the
24 Deputy Commissioner, I believe it was, said, did not find
25 McGill's declaration credible. Um, McGill had reasons to

1 lie about, uh, Mr. West, Mr. McGill was in custody at the
2 time. Uh, Mr. McGill's, uh, had, uh, bad blood between him
3 and Mr. West. As was said in the, uh, statements, uh, Mr.
4 West had, uh, was having an affair or a relationship with
5 Mr. Gill's wife. Mr. McGill had himself pulled a gun on
6 Mr. West at a previous time, um, and had shot at him. Uh,
7 the facts recounted by Mr. McGill do not completely fit
8 the facts of the case. Mr. McGill says that he was told
9 there was a broken window. In fact, the police found no
10 signs of forced entry so the story provided to Mr. McGill
11 he claims from Mr. West does not fit the facts of the
12 case. And as the Deputy Commissioner said, the inmate's
13 absolutely no sense and it's completely implausible that
14 Mr. West, the inmate's brother, would kill the victim to
15 protect the inmate from embarrassment from his wife for
16 making his life difficult and would let the inmate go to
17 prison for a crime that he did not commit. It's
18 implausible. The inmate talked a lot about the phone
19 calls. That information was provided to the jury at the
20 time of the trial. It was part of the evidence. The jury
21 did not find it compelling for his defense and convicted
22 him. According to the family, the inmate's brother, Mr.
23 West, cried at the funeral just as the inmate did. So, the
24 fact that he cried at his wife's funeral does not make him
25 any more or less guilty than his brother, who also cried

1 at the funeral. The inmate discussed, we talked about the
2 pawning of the ring, uh, and as I said previously, the,
3 according to Deanna BlackCrow, the victim's daughter, the
4 inmate pawned the ring because the, the victim pawned the
5 ring because the inmate had drained the bank account and
6 she was just trying to buy groceries. It was not an act of
7 defiance over a pizza party. Just like with everything
8 else when he stole her car, when he stole the purse, the
9 inmate does everything he needs to do to make himself look
10 like the hero. Um, he was only trying to protect her from
11 her herself. Um, nothing he, he didn't do any of the
12 domestic violence. He was just trying to protect her. He's
13 trying, he has a hero complex. He has a grandiose sense of
14 self-worth that still exists today. In the analysis, the
15 people feel that the aggravating factors far outweigh the
16 mitigating factor. The inmate remains an unreasonable
17 danger to public safety and thus, parole should be denied
18 today. Thank you, Commissioners. But I apologize if I went
19 over.

20 **PRESIDING COMMISSIONER LONG:** Thank you. Counsel.

21 **ATTORNEY SHEPPARD:** Thank you. Uh, I want to start
22 with, uh, one, a couple of responses to the District
23 Attorney's concerns. Um, she points out that the, uh, Mr.
24 McNeal might've gotten a low risk evaluation on the
25 morning of the murder based on his record at that time,

1 but that's very, very different than having received a low
2 risk evaluation at this time, um, from an evaluator who
3 had full awareness of his conviction as well as his
4 subsequent rule violations. So, those are not at all
5 comparable. Um, and I wanted to point out that, um, I
6 personally, um, emailed to Dr. Kruse and confirmed that
7 Dr. Carman received a copy of a packet almost identical to
8 the one that's in the 10-day file and that included, uh,
9 Mr. McNeal's lengthy autobiographical essay. So, Dr.
10 Carman was given, um, Mr. McNeal's firsthand confessions
11 to all of those, um, prior theft crimes. So, um, the
12 District Attorney, uh, alleges that she didn't know about
13 that or that McNeal didn't tell her about that, but that's
14 incorrect. Uh, okay. I want to go through the suitability
15 factors as guided by the, um, factors that the Board is
16 using currently. Let's look first at escalating criminal
17 history, which would be an aggravating factor, but in this
18 case, it doesn't exist. We have, uh, the suitability
19 factors of the lack of a juvenile assaultive, uh, lack of
20 juvenile assaultive behavior, lack of any history of
21 violent crime and a somewhat stable social history. All of
22 those are prior factors, um, where the opposite would be,
23 uh, an unsuitability or an aggravating factor and yet, uh,
24 Mr. McNeal's past points to suitability and to mitigation.
25 Um, let's move to acceptance of responsibility, his

1 current mindset. Um, this, of course, is the crux of the
2 case. Um, I'm going to come back around to this but
3 Commissioner Long pointed out there's really only two ways
4 to look at this, either his claim of innocence is
5 plausible, i.e., he might be innocent or he's lying and
6 he's a sociopath. So, let's look at this. First of all,
7 the District, the, the, uh, risk evaluator concludes that
8 he has great insight, um, and that speaks to not a
9 sociopath. Second of all, on page eight, she, uh,
10 evaluated him using the psychopathy checklist. If he were
11 a sociopath, he would have scored very high on the
12 psychopathy checklist. Also, if he were the type of person
13 who was able to callously murder his wife and then lie
14 about it for 20 something years, if you were, as the
15 Commissioner said, a sociopath, um, what we know about the
16 psychopathic personality or the sociopathic personality is
17 they lack any self-awareness, they lack any empathy and
18 they lack the ability or willingness to ever, uh, accept
19 responsibility. We can look at a narcissistic personality
20 disorder, which is very similar diagnosis to psychopathy
21 or sociopathy. These individuals do not embrace any
22 responsibility. They continually point the finger at
23 others. And it's true that 23 years ago, McNeal
24 demonstrated some of those types of traits, but contrast
25 that with how he presents himself today. Uh, he does not

1 present as somebody who continually blames other people.
2 Instead, he has accepted that he put himself here by
3 mistakes he made that, that, um, um, put him squarely
4 under suspicion. He accepts and has confessed to, um,
5 criminal behavior that we would not even know about if not
6 for his willingness to point the finger at himself. He
7 has, uh, accepted and really gone above and beyond in many
8 ways to address his responsibility in the, uh,
9 dysfunctional, unhealthy relationships that he had, both
10 with his ex-wife Amber and with the victim Debra. Um,
11 these are not the behavior of a sociopath. These are the
12 behavior of somebody who has analyzed himself and is now
13 able to recognize his own flaws. Um, someone who's capable
14 of doing all that would not simultaneously, um, be able to
15 maintain a lie of this magnitude, um, without massive
16 cognitive dissonance that would be demonstrated in, um,
17 psychologically strange behavior and/or other types of
18 behavior. And yet what we see from our expert, which is
19 evidence in and of itself, Dr. Carman, is that she does
20 not find those traits. Um, she found almost no traits of
21 psychopathy and rated him to be much lower than the mean
22 and the cuff. Um, next, I just want to speak to
23 plausibility. I'm going to try to do it very quickly. Um,
24 this Panel knows that the standard here is that the law
25 permits, uh, an inmate not to admit their crime if that

1 admission is plausible, if it does not strain credulity to
2 the point of being completely irrational. Um, and that's
3 why I submitted that lengthy plausibility brief, which is
4 backed up by over a hundred pages of exhibits directly
5 from, uh, the trial record, um, police reports,
6 investigator, uh, witness statements taken by
7 investigators, as well as forensic evidence, um, such as,
8 um, the fingerprint analysis, the phone records
9 themselves. And all of that, um, I think can be broken
10 down into three elements that all support the plausibility
11 of this claim. Um, the first one is the timing. There are
12 phone records, which cannot be and were not faked that
13 show that McNeal was on the phone in his office until
14 12:19. Uh, and if it were otherwise, you would think there
15 would have been an investigation into what co-conspirator
16 was helping create an alibi by making phone calls to
17 McNeal's house, um, from the probation department office.
18 That's just, that's the implausible thought there is that
19 there was this co-conspirator and that law enforcement
20 failed to try to root out that co-conspirator. It's much
21 more logical to think that yes, McNeal called his wife's
22 house or his house to try to reach his wife several times
23 to tell her I'm on my way home. Can you tell me where
24 we're going? Combine that with the fact that Mr. McNeal's
25 colleague, another probation officer, his records show

1 that he was on the phone until 12:16. And this officer and
2 another one said that they rode down the elevator with Mr.
3 McNeal. So, that sets his departure time from the office
4 at no earlier than 12:16 or 12:19. Um, from that point
5 until when the police were called is a grand total of
6 about 12 minutes. Uh, when we look at the crime that,
7 well, first of all, the driving time that it would take to
8 get from his home, um, or from his office to his home and
9 then everything that was done in this crime, starting with
10 the vicious and brutal murder, um, and then moving the
11 body and then defiling the body using chemicals and, and
12 putting things on top of it and then the cleanup efforts
13 around the house, staging the house, writing words on the
14 mirror, and then he would have had to clean himself up,
15 remove bloody clothes, remove bloody shoes and put on
16 something clean. All of this in a time span that just
17 makes it absolutely implausible to think that that could
18 have happened. More over to me, the, the, the most
19 important linchpin when it comes to timing is that there
20 were no bloody clothes or shoes found in the house. If
21 McNeal had done all of this and cleaned himself up,
22 there's no question that forensic investigators would have
23 found that, that evidence. Now, um, Commissioner Long
24 asked, well, how do the shoes you were wearing have no
25 blood on them if indeed you ran in and out of the house?

1 And I would just point out that it's perfectly logical for
2 a man walking into his home at first thinking there's, you
3 know, a ketchup mess and then even as it dawns on him that
4 there's blood, it's perfectly logical that a man in his
5 shoes would try not to walk on that blood. Um, the next
6 element, as far as plausibility is, um, okay, the forensic
7 evidence, and I think I covered that. So, moving to my
8 third element and that's the alternative theory. That's
9 being able to say, well, if McNeal didn't do it, then who
10 did? And, you know, the District Attorney made some, some
11 arguments that I just don't see as, as viable, um, because
12 when we look at the, um, rational behavior of a man like
13 Jeff West, who has a lengthy violent criminal history,
14 including a lengthy violent history of trying to violently
15 be there for his family. This included beating up Henry
16 Grant, who was Jeff's sister's father. Um, he beat up
17 Henry because he said Henry wasn't spending enough time
18 with his daughter. Um, and he was convicted of that
19 offense of assaulting Henry Grant. Um, he also pulled a
20 gun on McNeal's own, um, ex-wife Amber and her mother, and
21 there's, there's documentation of that, including in his
22 autobiography. So, he's got this pattern of violently
23 "helping" his family, but he has no record of then
24 confessing and accepting responsibility for these crimes.
25 He's a criminal. Of course, he's going to act impulsively,

1 act violently, and then not want to, want to take
2 responsibility. I think Mr. McNeal's point is well taken
3 that, um, he wanted to help out his brother but not to the
4 point of confessing, um, to murder and accepting a life
5 sentence for it. I want to point out the things he did to
6 try to not let his brother take the fall, uh, including
7 when Jeff committed this crime, he tried to make it look
8 like a home invasion, like a burglary, which if McNeal had
9 killed his wife is not what it would have looked like.
10 Putting that, uh, racial slur on the mirror, he knows his
11 brother is black. He knows if his brother did it, that he
12 wouldn't have put that. So, by putting that, he's trying
13 to point investigators away from his brother. The hair.
14 This didn't come out in the hearing, but there was some
15 hair found on Debra's body that did not belong to either
16 Debra or Patrick McNeal. It belonged to some unknown third
17 party. And in McGill's testimony, he explained that Jeff
18 confessed that he went and paid a homeless man for his
19 hair. It's this very odd little detail that doesn't make
20 any sense except that it matches up perfectly with the
21 forensic findings at the scene and with the idea of Jeff
22 West trying to pin this murder on some unknown third
23 party, some home invasion burglary. Um, next, Jeff West,
24 every time he was interviewed, he, he, um, you know,
25 denied that he was guilty, but he also always denied that

1 McNeal was guilty. So, he was doing his best to, uh, not
2 let his brother take the hit, but also not take
3 responsibility himself. And then, uh, this is in my
4 plausibility brief. It didn't come out today, but there's,
5 there's documentation of this, uh, in multiple interviews,
6 including from Jeff West's girlfriend, that, um, Jeff was
7 told to pay for McNeal's appellate Attorney. So,
8 <inaudible> have gone something like this. He does the
9 crime, he tries to point police away from his brother and
10 then, oh my gosh, it's out of my control. They caught my
11 brother. They locked him up for my crime. What am I going
12 to do? Well, I'm at least going to try to help my brother
13 get out of it. And that's what he did when he paid for an
14 Attorney. Uh, a couple final notes on that. Um, Cary
15 McGill's testimony, you know, is there's, there's this bad
16 blood that makes his testimony, um, his credibility
17 questionable, but this same testimony was credible enough
18 that it landed Jeff West in prison for two other murders,
19 to which he pled to manslaughter. I just looked him up in
20 the Nevada State Prison System and those manslaughter
21 charges are listed there. He's been discharged for those
22 crimes and he's already back in prison for another set of
23 crimes, this time for, uh, drug possession and a firearm
24 possession. So, this is a man with a long history of
25 violence. Clearly, no impulse control to make good solid

1 decisions. He may have not wanted his brother to go down
2 for this, but he didn't know how to make the right
3 choices. Also, in addition to McGill's testimony, there's
4 the testimony of Ebony Grant, who is the sister of both
5 Patrick McNeal and Jeff West. And Ebony nonetheless points
6 the finger at Jeff and says, yeah, he's been violent his
7 whole life. He'd beat up my stepdad. He killed a dog. He's
8 very capable of doing this. And all of that is in my
9 plausibility brief. So, um, I'll leave it at that as far
10 as the, the evidence. There's substantially more in that
11 record, which is in your 10-day file. Um, but I want to
12 point out also that, um, the Governor's commutation in a
13 way is, is evidence of that plausibility standard being
14 met. Um, it's, it's highly irrational to think that the
15 Governor would review this evidence and then commute Mr.
16 McNeal's sentence if he didn't find this claim plausible.
17 So, that's an entire office full of Attorneys and
18 investigators who, um, found him, um, who found his claim
19 reasonable. And it would point to the Innocence Project,
20 who've been staunch defenders of Mr. McNeal for a long
21 time. Even though, uh, you know, the court standard for
22 reversing a conviction, which is very different than the
23 standard today, um, even though that standard wasn't met,
24 the Innocence Project has a very high standard of their
25 own. Um, I've worked with them many times. They turned

1 down more cases than they take. They only take cases where
2 they strongly believe that their client was, um, was
3 wrongly convicted. And that is where they stand today and
4 they've submitted several support letters on his behalf as
5 well. Um, so that brings me back to this question of
6 there, there's two possibilities, either he's innocent or
7 he's a sociopath. And all of the evidence points to the
8 fact that his innocence is highly plausible and based on
9 expert testimony of Dr. Carman, not testimony expert
10 evaluation of Dr. Carman and Mr. McNeal's presentation
11 here today shows you that he doesn't have the traits of a
12 sociopath. Okay. Um, moving onto offender self-control
13 very briefly, uh, signs of remorse. It's true that he was,
14 uh, had a lack of empathy and remorse back then for the
15 crimes he did commit and a lack of empathy or feelings
16 demonstrated for his wife. Um, but he presented very
17 differently here today. Over time, he has regained that
18 access to his own emotions. And it was, uh, on, on full
19 view here today when he talked about the impact that he
20 knew that, um, Debra's family experienced. Um, and then as
21 far as offender self-control, I would also point to his
22 disciplinary record over the past six years. Clearly,
23 there were some hiccups along the way. The path of growth
24 is, is not, um, entirely without, uh, hiccups, but, uh, I
25 want to point out that in 2014, which is when he became

1 fully disciplinary-free, this substantially predated his
2 commutation. So, he got his act together, um, without
3 having, uh, this, this immediate reason of, um, coming to
4 the Board in the near future. And then as far as offender
5 change, we have his institutional efforts. We have all of
6 the self-help that he's done that shows great insight. Um,
7 Commissioner Long, you read it so I won't re-read it, but
8 on page 10, that very meaningful quote from Dr. Carman
9 where she describes even if he were guilty of the crime,
10 nonetheless, he's demonstrated a higher level of insight
11 than, than most inmates ever do. Higher level of
12 understanding of himself. Uh, his plans for the future on
13 parole, she described as detailed, impressive and
14 comprehensive, and that he seems to be highly prepared.
15 Uh, the risk assessment itself is, um, supportive evidence
16 of parole and evidence of offender change because, again,
17 uh, in contrast to what, in contradiction to what the
18 District Attorney said, um, this is not the same as a low
19 risk evaluation in 1997. This is a low risk evaluation
20 that has taken into account the truth of everything that's
21 occurred, including the conviction, including McNeal's own
22 confessions, to, um, all the crimes of theft that he was
23 never caught for, um, and including looking at his full
24 record in prison. Now, um, at the end of my arguments, I
25 tend to point to the amount of time that my client has

1 spent, spent in prison and to say that no amount of time
2 can make up for what they've done and to point out that
3 that's not really the calculus here. Um, but here, it's,
4 it's not even a question of that because if he did not
5 kill, um, Debra and Samara, then, then he spent 23 years
6 too long in prison. Now, should he have spent some for
7 insurance fraud? Did he have a lot to learn? Certainly.
8 Um, but this is not a man who was ever a murderer, who's
9 ever been a violent person. Um, he's presented a highly
10 plausible claim that he did not commit this crime. And
11 perhaps most importantly, he's shown a tremendous level of
12 insight into, um, what moral responsibility he feels for
13 triggering this crime and into his other, um, criminal
14 behavior that, that put him squarely in the, under
15 suspicion. So, with all that said, um, there's really no
16 evidence that Mr. McNeal remains a danger to the public,
17 um, of any kind and certainly an unreasonable danger at
18 this point. Thank you.

19 **PRESIDING COMMISSIONER LONG:** Thank you, Counsel. So,
20 Mr. McNeal, it's your opportunity to make a closing
21 statement, if you wish.

22 **INMATE MCNEAL:** Uh, yes. Thank you very much. Um, I
23 want to say that there's, there's no excuse, uh, for the
24 sorry excuse for a husband that I was. Debra and Samara
25 deserved someone who would give his life for theirs.

1 Instead, they had someone who recklessly gambled with
2 their lives and lost simply because of my insecurities and
3 need to appear tough in the eyes of someone and worthy of
4 emulation. I assassinated Debra's character to someone I
5 knew had previously been extremely violent with the mother
6 and grandmother of my children in order to protect me. Not
7 only did my character assassination lead my brother to
8 murder Debra and Samara, I added insult to injury by
9 fraudulently claiming items were missing from my home that
10 I knew were either non-existent or accounted for. I was
11 abusive to Debra prior to her murder and repeatedly
12 restrained her then blamed her for my actions. I
13 constantly told her that she was crazy and needed help,
14 which I now know was mental abuse, but I arrogantly denied
15 that I needed any help. I had little empathy and showed
16 minimal emotion after Debra and Samara were murdered. I
17 also engaged in insurance fraud by allowing a fraudulent
18 auto theft claim to be paid. I'm responsible for these
19 actions as well as starting a relationship with another
20 woman months after Debra's death. I created the suspicion
21 that led detectives to suspect me and the jury to wrongly
22 convict me for the murders of Debra and Samara. My actions
23 both before and after the murders were not those of a
24 loving husband. My actions were those of an insecure,
25 cold-hearted, abusive, greedy criminal, who was in denial

1 about my own morality and corrupt nature. I was a complete
2 hypocrite. I sit in front of you today despite the fact
3 that I did not murder nor asked my brother to murder Debra
4 because of my own actions and behavior. The impact of the
5 murders of Debra and Samara cannot be overstated. A
6 pregnant woman was murdered in her own home in broad
7 daylight. The terror Debra experienced while fighting for
8 her life and simultaneously fearing for the life, for the
9 life of her child is unimaginable. The total impact of the
10 loss of their lives will never be known because the list
11 of victims and the echoes of this crime will reach people
12 in places that I can never imagine. The hardest hit are
13 Debra's children, Deanna, Marcus, Shantel and Shantee.
14 They lost a mother, sister and all of the love, affection
15 and support and life experiences that come with these
16 relationships. I can't begin to understand all the
17 devastating effects her children and siblings continue to
18 suffer. As insufficient as an apology is when compared to
19 the loss of two lives, I want to tell Deanna, Marcus,
20 Shantel, Shantee, Angela, Carmen, Susan, Allen, Debra's
21 friends, our neighbors, the community, the courts, law
22 enforcement, my family and friends, and all those unknown
23 victims who were damaged that I'm sorry for the pain and
24 suffering that I brought into your lives. I can't repair
25 the damage I caused, but I can make a difference moving

1 forward. I won't tell you all my accomplishments in
2 prison. I won't tell you all my accomplishments in prison
3 that established my suitability for parole. My record, my
4 record speaks for itself. Good deeds don't make up for the
5 lives that were lost, nor did they provide comfort to the
6 victims. But I will say is that I made a commitment to
7 address my character defects long before I had a chance to
8 be released. I have sincerely demonstrated a long lasting
9 commitment to self-improvement and helping others, and I
10 will continue this commitment regardless of your decision
11 today. I do hope, however, that my 15 years plus of
12 participation in self-help, consistent violence-free
13 record, low risk assessment, and discussion in this
14 interview convince you that I'm capable of living a crime
15 and violence-free life and I am therefore suitable for
16 parole. Thank you for your time and consideration today.
17 Thank you.

18 **PRESIDING COMMISSIONER LONG:** Thank you. And so, now,
19 we'll move onto the victim statements. Uh, because there's
20 so many, we have, uh, Deputy DA Lasky is to determine the
21 order. I'll ask you to direct, uh, um, who speaks and, uh,
22 when. Um, but again, please, as, as you start to begin
23 your statements, please again, state your full name for
24 the record and your relationship to the victim, uh, right
25 before you give your statements.

1 **DISTRICT ATTORNEY LASKY:** Thank you. Yes, I have the
2 order. Uh, the first people will be Terrylynn, if she's
3 still here. She had some work issues. She may have had to
4 leave. Oh, she's still here.

5 **VNOK WALKER-YOUEPELE:** Hi. My name is Terrylynn
6 Walker-Youpele. I was Debra's best friend, her confidante
7 at the time. Um, I met Debra couple of years before that
8 and we became very close. Um, I was the only friend that
9 was allowed in her home at the time. Um, she was a happy
10 person. She was very happy when she told me she was
11 pregnant. Um, she was doing the best she could carrying
12 the baby. Um, she was having a difficult pregnancy due to
13 that she was up in age, but she was waiting for the day to
14 deliver her baby. Um, the house where she was murdered in,
15 I moved her and Patrick into that house from apartment on
16 the north end. So, we became very good friends. Um, at
17 that time, um, before this all happened, they started
18 having domestic problems. So, the police was called out
19 several times, um, in this matter, and a couple of times I
20 was there. Debra started acting differently. Her behavior
21 was sheltered and I wanted to ask her what was going on
22 and she just kept it to herself. So, then around, um, it
23 was '97, around, uh, February of '97, she came to the
24 house and I said, Debra, what's wrong? She said, Patrick
25 knows you have my ring on my kid's birth certificate and,

1 um, all of my Native American documents and he wants me to
2 get them right now. So, this was like the last week in
3 February. And I said, okay, Debra, I'll hand you all your
4 documents. I gave her back her beautiful ring. Um, and I
5 didn't think nothing of it. Um, time went on. About
6 another few days, she came over to my house. I lived in
7 Highland, California on Fleming Street. Um, she would come
8 to the house and check on me and my family and everything
9 was fine, but I noticed her attitude was changing more and
10 more. Um, she was six months pregnant the time, um, she
11 lost her life and she was very petite. And when I would go
12 over to the house, there would never be any food there.
13 And I'm like, Debra, what's going on? So she was like,
14 Patrick is not giving me any money so I can't buy any
15 food. He controls all the money. So, I said, okay, let me
16 go see what's going on. So, the day before her murder, the
17 day of the murder, I came by and I was the last person to
18 see Debra alive. She told me she was going to the doctor
19 <inaudible>. And she was talking, making phone calls. She
20 made several phone calls to Vegas, to her children, trying
21 to talk to all of her children. Then she tells me at that
22 time, Patrick does not want me at the house anymore. I
23 said, why? He doesn't want me at the house anymore. So, at
24 that time, I'm walking through the house. They had a fight
25 the night before. So, furniture was outside. She had a cut

1 in her right hand from a knife. Um, things was just
2 shackled all through the house. And I said, what happened?
3 They got into it the night before she was murdered. So, I
4 said, Debra, are you going to be okay? She said, I just
5 need to speak to all my children. I stayed with her like
6 40 minutes. I left around 11:55. It was 11:55 or 10:55. My
7 lunch was over. I left five minutes before that time. When
8 I got to work, I got a phone call saying, I need to return
9 back. Something has happened to my friend. So, from that
10 time I went to my job, which is five minutes away, Debra
11 was murdered. So, that's what led me to, he was on his way
12 home, who could have did this? So I'm still in shock, like
13 who could have did this? And I know who did it, but he's
14 still to this day saying he didn't do it, but it wasn't
15 me. So, I was under investigation for Debra's murder for a
16 while. And he didn't feel like that was nothing wrong with
17 that while they investigate me while he riding around on
18 my corner and I'm dialing 911 because he's on my corner of
19 Fleming trying to intimidate me. After the murder had
20 occurred, he's still riding around <inaudible> finding me,
21 finding where I'm at, parking places where I'm at trying
22 to intimidate me. So, everything led to him. So, I was
23 like letting everybody know there's Rodney on my corner
24 right here. I'm dialing 911 and letting the operator know
25 he is not to be over here. He, he has no reason to be over

1 here. He doesn't live over here. And he was trying to
2 intimidate me. So, I had several calls to 911 after he
3 had, did this crime and the police said there's nothing
4 they can do until Thanksgiving weekend when I got the call
5 from the District Attorney in, um, San Bernardino County
6 Sheriff that they had picked him up for her murder. And
7 I'm like, really? It took you guys this long from March
8 the 10th until Thanksgiving to pick him up? We had to get
9 all the evidence, Ms. Walker. So, him getting out, I'm not
10 for it at all. I'm not for it at all because like I said,
11 I was the last person to see Debra alive. When I walked
12 out that door, he was waiting on me to leave and my story
13 will never change. So, I'm here for the family. I'm here
14 for Debra. Um, I do not want to see him free. So, that is
15 my statement. I have to get back to work, but I am the
16 last one to see Debra alive. And this is such a hurtful
17 thing that he did and to try it blame me. If you look at
18 the newspaper articles, he was trying to blame me. And it
19 didn't work. So, I'm here for all of them, her friends,
20 the rest of them. But I am not for him getting released
21 after the crime he did. That's all I have to say. I have
22 to get back to work, you guys.

23 **PRESIDING COMMISSIONER LONG:** Thank you, Ms. Walker.

24 **VNOK WALKER-YOUELE:** You're welcome.

25 **DISTRICT ATTORNEY LASKY:** Thank you. The speaker will

1 be Vanessa Richards.

2 **VNOK VANESSA RICHARDS:** All right. Thank you. Uh, my
3 name is Vanessa Richards. Um, I am the niece of Debbie.
4 Um, let's see. Um, as a child growing up, I remember
5 birthday cards for my Aunt Debbie because they were the
6 best time and it felt good being remembered by someone in
7 the family. We live so far away from everyone. I remember
8 Aunt Debbie's phone calls to my mother. They were always
9 laughing and truly enjoyed each other's company. I would
10 always ask my mom who she was talking to. Um, she always
11 sounded so excited. Um, you know, she would tell me it was
12 her sister, Debbie. Um, I remember the morning Debbie's
13 life was taken, it was a typical Monday. We were getting
14 ready for school. I was in middle school, um, so the day
15 started later for me. My mom and siblings were already off
16 to school and work. And, um, me and my dad were home. Um,
17 the phone rang and we nearly missed the call. The
18 answering machine picked up and started to record. My aunt
19 called and she was asking for my mom. Uh, my dad told my
20 Aunt Debbie that my mom had left for work and it was
21 something in the tone of her voice that was a cause for
22 concern. My dad asked if she was all right and if
23 everything was okay. It was unusual for her to call that
24 early in the morning. Um, my aunt said she would call
25 back, um, and try to reach my mom later in the evening.

1 Uh, my dad was the last person to speak to Debbie because
2 her life and her unborn daughter's life were taken. Um,
3 after that, I remember seeing my mother crying and
4 completely devastated. Uh, my parents didn't tell us how
5 she passed. I was always mystified about the details until
6 I was older. Even now, it's hard to think of or speak of
7 how awful her last moments were. I believe with my whole
8 heart the police and prosecutors have arrested and
9 convicted the correct person, Rodney Patrick McNeal. I
10 also believe Patrick needs to finish his sentence and I
11 wish it was longer. My Aunt Debbie and my unborn cousin
12 deserve justice. Please continue to uphold justice for my
13 family and keep Patrick McNeal in jail for his full
14 sentence. Thank you.

15 **PRESIDING COMMISSIONER LONG:** Thank you.

16 **DISTRICT ATTORNEY LASKY:** Sorry, I was muted. Thank
17 you. The next speaker will be Angel Wilcox. It appears
18 that Ms. Wilcox is not here. Sorry, I had her on the list.
19 Uh, the next, uh, speaker will be Susan Spottedbear. I've
20 lost Commissioner Long's video. Is everyone else still
21 able to see him?

22 **DEPUTY COMMISSIONER LAM:** No. Commissioner, are you
23 there?

24 **PRESIDING COMMISSIONER LONG:** I'm still here.

25 **DISTRICT ATTORNEY LASKY:** Okay. I just want to make

1 sure we weren't having another issue. Um, Ms. Spottedbear,
2 are you here? I know that some people had, oh, there you
3 go. You're next. Apparently, we've lost, uh, Angel and,
4 um, uh, Ms. Spottedbear. I'll have them go if they come
5 back on. Um, the next speaker will be Curtis Richards.

6 **VNOK CURTIS RICHARDS:** Hello. I'm Curtis Richards.
7 Um, I am the brother-in-law. Angela Richards is, uh, my
8 wife. Um, she was very, she was very close to her sister
9 from early in life. They've always been very close and
10 they did a lot of things together growing up and even as
11 adults, uh, they stayed in touch constantly and they're
12 very, very close. Um, so when Debbie died, it was very
13 devastating for my wife and the pain still lingers to this
14 day. Um, from year to year, from occasion to occasion, uh,
15 she's always remembered on her birthday and occasions like
16 that, holidays. Um, she, she misses her sister all the
17 time and she's hurt. The, the pain of her loss has never
18 diminished. Then I remember she called me, um, a little
19 time before this happened to her. She called me and, um,
20 made amends with me because, um, we had had a difference.
21 I had been mad at her for some time, but she, she
22 apologized to me and she told me she believed in the Lord.
23 She accepted Christ and, and she took the time to make,
24 makeup, you know, and correct, uh, you know, our
25 differences. And I appreciated her for that. And I cried

1 when, uh, when she was, was killed. And, uh, not only, um,
2 <inaudible> by my wife but also my children and her other
3 sisters. Um, it was very painful what they've gone through
4 with her loss. And, um, the way she was murdered was not,
5 uh, she didn't deserve that. She was a nice person. She
6 was loved and, uh, she helped her family and she did not
7 deserve to be treated that way and she did not deserve
8 that to happen to her. The way it happened was very
9 painful. And like I say, the pain goes on to this day. And
10 so, um, I agree with everyone who said that this gentleman
11 needs to finish his sentence as what was done was such a
12 heinous crime. I mean, and I'm not convinced that he
13 didn't do it. I'm not buying it either. So, it'll be very
14 painful, it'd be all the more painful if you let this man
15 out of jail. Um, so that's how I feel about it. Um, my
16 wife, she <inaudible> that she, she can't speak on this
17 because this is too painful. So, um, I'm confident and I
18 pray to God and God is the reason why he's there and I
19 think he's going to stay there. And my advice to him is to
20 seek God, <inaudible>. That's all I have to say.

21 **PRESIDING COMMISSIONER LONG:** Thank you, Mr.

22 Richards.

23 **DISTRICT ATTORNEY LASKY:** Thank you, Commissioner. The
24 next speaker will be Michael Ramos.

25 **VICTIM'S REPRESENTATIVE RAMOS:** Yes. Thank you.

1 And I want to, first of all, thank the Commissioners and
2 both Counsel for a very professional meeting, uh, during
3 this virus outbreak. I know it's been a headache for
4 everybody, but, um, you know, I'm here, uh, for the family
5 and representing the community. Um, yes, I was the DA, but
6 I won't go into the facts and retry the case. You all have
7 the information. Um, but my duty is always to speak for
8 the victims and never forget them. And to begin with that
9 would be Debra McNeal, uh, a wonderful woman and mother
10 that I, I got to know from her, her daughter Shantel. And
11 of course the six-month baby girl that we must never
12 forget who as indicated now would be, I don't know,
13 between 21, 22 years old. Um, and then you've heard the
14 victims and you'll hear some more from them, but I saw
15 firsthand the impact on the victims. I think Shantel,
16 we've, we've had a good relationship and we continue to
17 have a relationship. She was only 13 years old at the
18 time. I think her sister was 16 and they had a brother and
19 of course Debra's sisters and siblings, uh, who lived in
20 another state, South Dakota, and it was difficult for
21 them, the distance and the traveling during, during all of
22 this, this time period. So, we mustn't forget the impact
23 that it continues to have on the family members. And then
24 the community. Um, even back then, the legal and the
25 justice community, the impact it had as a probation

1 officer at the time, uh, was proven guilty by the jury
2 that he committed these crimes. Um, before I was a Deputy
3 DA, I was a probation officer myself in San Bernardino
4 County. I have friends that have retired from there and
5 continue to work there. And they're still concerned,
6 especially with the Governor's commutation because of the
7 sophistication and his personality, an individual like
8 this being released back into the community. I hear that,
9 um, especially after the Governor did the commutation.
10 Finally, there's, there's the impact on myself and my
11 family, and I have to say it. Um, tried over 30 murder
12 trials. There's a handful that I had concerns about when
13 those individuals will possibly be released, especially
14 those that attempted to contact me personally through
15 social media. Now, I'm not going to say whether Mr. McNeal
16 did it or not. I'm, I don't have that evidence, but we do
17 know for a fact that Jennifer Kennedy was in control,
18 apparently, that somebody that was close to McNeal was
19 able to attempt to contact myself. Um, I'm concerned. I'm
20 concerned for the public safety, the community safety, and
21 actually for the safety of myself and my family. Um, and I
22 think he said it best and whoever said it and the
23 counseling and therapy is doing, he's doing, it never goes
24 away. The beast is asleep. So, with all those, I know that
25 we've gone a long time here. I would just respectfully

1 request from the Parole Board the parole be denied for
2 justice for the victims' families and for the safety of
3 our community. Thank you very much.

4 **PRESIDING COMMISSIONER LONG:** Thank you.

5 **DISTRICT ATTORNEY LASKY:** Thank you, Commissioner. Uh,
6 speaking of family, next, I'm going to read some
7 statements from family members who were not able to attend
8 and a couple who are here but do not feel they're able to
9 speak. Um, and then we have a few people who will finish
10 up, um, and speak last.

11 **ATTORNEY SHEPPARD:** Objection, but rule reading of
12 the statements of people that are not here, those
13 statements can be submitted in writing and they should
14 have been.

15 **DISTRICT ATTORNEY LASKY:** They can also, the
16 statements can also be read at the hearing. The victims
17 have that absolute right as long as they're family
18 members.

19 **PRESIDING COMMISSIONER LONG:** I'll allow it.

20 **DISTRICT ATTORNEY LASKY:** Thank you, Commissioner. Um,
21 the first letter is from Candice Richards Alexander, who
22 is the niece of the victim. Says, hello. I hope this
23 letter finds you in time. I almost didn't write this
24 letter because it hurt too much. I'm Debra's 32-year-old
25 niece. I want you to know that recounting the day my

1 beloved aunt was murdered is nearly recounting what it was
2 like to be a child robbed of innocence. I was just a young
3 girl when my father sat my siblings and I down to explain
4 that my Aunt Debbie had passed away and that my mom was in
5 the other room sad. I remember how her cries stopped my
6 little world and scared me. As a young child, I would
7 always follow my mom around. Therefore, I caught the
8 majority of my mom's phone conversations. The ones with my
9 Aunt Debbie were evident because my mom would laugh so
10 hard her face would turn red and she'd have tears. That
11 was nearly everyday from my recollection. You can only
12 imagine what it was like as a child to see the one person
13 who brightens your world lose their light. To watch my
14 mom's heartbreak would last over and over again. My
15 cousins lost their mom and we lost a huge piece of ours
16 because my mom loved my aunt so dearly. Today, we all sit
17 here without so many memories of what could have been. My
18 uncle Rodney, you were supposed to protect your family,
19 give them a place to call home. It is my hope that Rodney
20 serves his entire sentence for the murder of my Aunt
21 Debbie and unborn cousin. He'll eventually get a second
22 chance at life and create a new story. My Aunt Debbie and
23 unborn cousin never got to finish theirs. Sincerely,
24 Candice Richards Alexander. The next statement is from
25 Angela BlackCrow Richards, the victim's sister. Um, and

1 that's spelled R-I-C-H-A-R-D-S. And just for the record,
2 BlackCrow is spelled B-L-A-C-K-C-R-O-W. My name, Angela
3 BlackCrow Richards from Fayetteville, North Carolina. I am
4 writing this email to let the Parole Board know that
5 Rodney Patrick McNeal needs to stay where he belongs in
6 prison for murdering two innocent human beings. He's
7 stolen from me my sister and niece, Samara, who I will
8 never meet on this earth. My sister was my best friend and
9 support system when I was sad or needed advice from her.
10 Even now, I still wish I could call her and seek her love
11 and support. My heart is still broken. Her husband Rodney
12 still never apologized to us even when he was beating her
13 while she was pregnant with his daughter Samara. They are
14 the victims of his demise. He needs to stay locked up.
15 Rodney McNeal and his brother Jeff West are both come from
16 a murdering family. They both need to stay locked up so
17 society can stay safe. I beg you and the Parole Board to
18 deny his release. He will kill again. I don't feel safe
19 knowing he is back in society. I can only hope he doesn't
20 have another opportunity to hurt another family. God bless
21 you. Angela Richards. Next is Danielle Stauty, spelled S-
22 T-A-U-T-Y, the niece of the victim. I'm writing this
23 letter in support of keeping my aunt's killer behind bars
24 where he belongs. I hope that after hearing from her
25 family, you're able to see how her tragic death hurt our

1 family, leaving lasting dysfunction and pain for
2 generations to come. I will never forget the day my mother
3 picked me up early from school. She was inconsolable,
4 sobbing and unable to speak. Once she finally told me of
5 my aunt's murder and that the baby didn't survive, I was
6 immediately overcome with shock and grief <inaudible>
7 mother, her baby sister, my baby cousin. Nothing would
8 ever be the same again. Please understand my family has
9 suffered horrific murders and experienced more death than
10 the average family. I often wondered, does anyone care
11 about our justice and our lives? I was there the day my
12 aunt was buried. At the time, Patrick hadn't been
13 convicted, was already behaving like a guilty man. He let
14 it be known that he had a gun and would shoot anyone that
15 threatened him. My family hadn't threatened him though,
16 which caused immediate suspicion. I watched my father weep
17 like a baby as this was his favorite sister-in-law. I
18 watched her daughters weep and one run to the bath,
19 restroom to lock herself away. I also watched Patrick not
20 shed one tear and even joked around with his brother. He
21 also refused to take part in the burial service. I don't
22 believe he even spoke. My father, though. See my aunt
23 wasn't just a victim. She was a role model and someone who
24 held our family together. She inspired us to seek further
25 education <inaudible> just stay around our hometown and

1 see the world. She had such a big heart and was so smart.
2 I watch her children today and I see a huge piece of them
3 missing. They flocked my mom and aunts just to gain a
4 piece of her, but it's not the same. Please keep this man
5 behind bars. Please keep justice going for my aunt. We
6 have enough missing and murdered Native American women.
7 Respectfully, Danielle Stauty, niece. The next statement
8 is from Carmen BlackCrow Gray, spelled B-L-A-C-K-C-R-O-W,
9 last name is G-R-A-Y, the victim's sister. Dear Parole
10 Board, Rodney Patrick McNeal had taken out an insurance
11 policy on my sister, Debra Marie BlackCrow. As soon as it
12 was charged, she was killed. If he's so innocent, who
13 would do this in the first place? There was another
14 incident where Debra's car was stolen and he took the
15 money from that insurance policy when it was paid, not
16 giving Debra any of the money and it was her car. One of
17 the intentional things he did to her was to make her sick
18 on their honeymoon to Mexico to let her drink the water
19 there, causing her to get extremely sick. He was a very
20 controlling man and seemed to try to alienate her from her
21 family. I guess he thought no one cared about her so he
22 could take her life because no one cared about her. I had
23 called her once on the phone and he answered saying they
24 were in the middle of eating their meal. I told him, this
25 is her sister calling long distance and I wanted to talk

1 to my sister. I got loud it was almost angry by his
2 response and he finally put her on the phone. Each time he
3 would change their phone number, she would call and give
4 us her new number. His ex-girlfriend, who had two of his
5 children, would call her to her house or on the phone and
6 when they changed their number, she would magically get it
7 no doubt by Rodney Patrick. His ex-girlfriend would sit
8 outside their house that Patrick had kicked her out of so
9 they could move in and yell nasty things to my sister and
10 Patrick did nothing to make her stop. My sister made more
11 money than Patrick, even drawing unemployment, and she was
12 not allowed to buy her children gifts, but he could buy
13 gifts for his two children from his former ex-girlfriend.
14 He would do spiteful things to her like hide her glasses
15 so she couldn't see to drive her car and take all the
16 money out from their joint checking to keep for himself.
17 He was very rude to her children and threatening them with
18 bodily harm. We rarely got him to agree to let us bring
19 her body home to be buried along with the baby because he
20 wanted to have her cremated. When he came for the funeral,
21 he told me he would pay half of everything for her funeral
22 but barely paid \$29. When we were driving around attending
23 the funeral business, he was speeding past the speed limit
24 and said after he was told to slow down, all he had to do
25 was show his badge. He'd also brought a gun to the

1 funeral. Who does that, but a guilty man. At the funeral
2 parlor, the director asked if we wanted to view her body
3 and he stated Debra had a dark mark on the side of her
4 face. He wondered why until he had read she had been
5 strangled and that causes the blood to clot in the face
6 and it turns dark. The director asked if we wanted to see
7 her now or wait until she had makeup on. Patrick was
8 sitting there shaking and said he would wait until she had
9 makeup on. He acted so guilty. Another thing I noticed he
10 would slow the car down a lot when ask questions like he
11 had to really think of what to say, and he said he wanted
12 us all together so he could tell us all at once what
13 happened. It seems his story changed each time or he
14 couldn't remember, like did she have clothes on when he
15 found her? My son seen her last when he visited California
16 on a school trip. He said, Patrick asked Debra if she had
17 bought his daily lottery tickets and he wanted to take my
18 son snorkeling and to do other water activities. Patrick
19 said he wanted to be an FBI agent, but was not chosen for
20 it. He told us how he seen really grizzly crime scenes as
21 a probation officer but we found out that was a lie. They
22 did not go to crime scenes as probation officers. He
23 claimed he couldn't eat much because of his emotional
24 condition and claimed he lost weight. When he stated it to
25 his sister, she said he looked the same. He kept stating

1 how he wished he could get the insurance money right away
2 so he could fly everyone in for the funeral and talked
3 about the insurance money a lot. He didn't seem remorseful
4 at all and cried crocodile tears. Word got out he was a
5 suspect in Debra's death so people stayed away from him
6 and would not sit by him at the wake or funeral. One
7 relative even told him so. At the burial, he, his brother,
8 brother's wife and his sister talked about site seeing
9 while they were there in South Dakota. I was able to talk
10 to my nieces about my sister and Patrick's relationship.
11 Shantel stated Debra had two Dobermans that protected her
12 and they would have had to be put up by someone they knew
13 before she was attacked and harmed. Patrick most likely
14 had been that person and Patrick was the only one with the
15 key to the safe that was found open, but only had papers
16 in it, no money. Their relationship was very rocky and
17 violent. Debra told how she and Patrick had an argument
18 when and she embarrassed him and later that night, he held
19 her down and cut her clothes off with a knife, saying she
20 would know how it felt to be humiliated. What kind of man
21 does this? Much less a man of the law. All he had to do
22 was let her leave as she was planning to divorce him, but
23 he has seen her as a get rich scheme. He doesn't deserve
24 freedom so he can plot to kill and murder again, much less
25 his own child. He shows no remorse for his deceased wife

1 and child ever. His brother could have taken a lie
2 detector test to prove his guilt but didn't. When the
3 insurance adjuster called me to ask if I thought Patrick
4 was a suspect of my sister's death and if they should put
5 a hold on the insurance money, I said, yes, I believe he's
6 a suspect and believe he is the murderer. No family should
7 have to go through this tragedy ever and then have to face
8 his early release from prison. He deserves to stay in
9 prison so he can think long and hard of what he did. Thank
10 you for listening to my letter. And the last letter I have
11 to read is from Michael Rodney Gray, who is a nephew, and
12 it's spelled G-R-A-Y. My name is Michael Rodney Gray, a
13 nephew of Debra BlackCrow. I would like the Parole Board
14 to refrain from granting Rodney Patrick McNeal parole and
15 request that parole eligibility be deferred for the
16 maximum time allowed in the State of California. Debra had
17 many goals that she wanted to accomplish in her life, such
18 as finishing college. She wanted all the happiness the
19 world had to offer, and she was not given this opportunity
20 because of Rodney Patrick McNeal. She had no one there to
21 protect her when she died. There was no one there to save
22 her and her unborn baby from being beaten, stabbed,
23 strangled and drowned.

24 **DEPUTY COMMISSIONER LAM:** I'm sorry for interrupting,
25 Commissioner. I just want to make sure that the inmate is

1 still on because I don't see him on my end.

2 **DISTRICT ATTORNEY LASKY:** I still see him.

3 **DEPUTY COMMISSIONER LAM:** You still do? Okay. I don't
4 know why my screen is doing that. All right. I apologize.

5 **ATTORNEY SHEPPARD:** I don't see video...

6 **PRESIDING COMMISSIONER LONG:** Just confirm that you,
7 can you still see us and hear us, McNeal?

8 **INMATE MCNEAL:** Yes, I can.

9 **DEPUTY COMMISSIONER LAM:** Okay. Thank you.

10 **DISTRICT ATTORNEY LASKY:** She wanted all the happiness
11 the world had to offer and she was not given this
12 opportunity because of Rodney Patrick McNeal. She had no
13 one there to protect her when she died. There was no one
14 there to save her and her unborn baby from being beaten,
15 stabbed, strangled and drowned. Debra BlackCrow was one of
16 my mother's six sisters and the one who was most like me.
17 When I last spoke with Debra, it was the summer of 1996. I
18 was on an out of state trip with a program called Upward
19 Bound and became separated from my group while at
20 Disneyland. I called Debra and she told me she was unable
21 to come pick me up immediately because Rodney McNeal was
22 not at home. They both later came to pick me up the
23 following day and we had dinner. During dinner, I asked
24 them if they had a choice of winning the lottery without
25 happiness or not winning a lottery but being happy, which

1 would they choose? My aunt chose happiness and Rodney
2 McNeal shocked by her answer said he'd choose money. As I
3 write this message, I am crying because I was not able to
4 be there to protect her. She was such a small and delicate
5 human being, delicately beautiful human being, and she had
6 no one there to protect her when she died. You have the
7 power to help her now. You have the power to do something.
8 I ask that you do not allow Rodney Patrick McNeal to be
9 released early. Doing so would give him more power, which
10 he already used to violently hurt my aunt during their
11 relationship and what he used to ultimately end her and
12 her unborn child's life. Sincerely, Michael Rodney Gray.
13 The last victim impact statement that I have to provide is
14 from DeShawna West. She is the victim's niece and also the
15 inmate's niece and the daughter of Jeffrey West. And it is
16 actually a video statement that I'm going to play.

17 **VNOK WEST:** Hi. My name is DeShawna West. I'm the
18 daughter of Jeffrey <inaudible> West. That makes me the
19 niece of Rodney Patrick McNeal. I made this video today to
20 let you guys know that I am standing with my cousins in
21 the fight of not granting clemency for my uncle Rodney
22 McNeal. I'm not saying that this means I agree that he is
23 innocent or guilty. I do not know what happened that day.
24 Nobody knows what happened that day besides the person
25 that murdered Debra and herself. But I do know now that I

1 am an adult and I was just 10 at the time of her murder,
2 that there is no way that an innocent person will continue
3 to pass the blame to other people. I am not here to defend
4 my father's innocence, although I know that my uncle was
5 having him take the blame for what happened that day. I do
6 not believe my father was guilty. And I just want to say
7 that for the record but I also do not think that if
8 someone was innocent, they would place blame on countless
9 other people because it would fit the mold of the person
10 that that person is. I am not here to say that my father
11 is an angel or a saint, but I'm saying that as an adult
12 and learning from my actions and learning from things that
13 I have gone through, I've maintain my integrity. I've
14 maintained stating facts whenever my integrity is
15 questioned. I never place blame on others whether someone
16 else has done something to cause my reaction, I don't
17 place that blame on them. I'm a mother now. I teach my
18 daughter that good actions have good reactions and bad
19 actions have bad reactions. And no matter what, if my
20 uncle was innocent, I felt that he would have just stayed
21 to the facts of the case. My uncle is an amazing uncle
22 when he was here with us. So, I'm not making this video
23 out of malice or hate toward him. I love him. I do. I just
24 believe that as an adult now, I've learned that in
25 relationships, people bring out the best and the worst of

1 us and seeing the facts from the case, they both have
2 their demons. Debra did not deserve to die. She did not
3 deserve <inaudible> her child. After all these years, I
4 still stand with my cousins. They are still my family. I
5 remember Debra as his sweet woman. He always was around
6 and whenever her and my uncle met and they got married,
7 they became my family. And <inaudible> that's the most
8 amazing thing to have your best friend become your family.
9 <Inaudible> our family and divided us. As we grew older,
10 our love and our devotion for Debra has not fade.
11 <Inaudible>. I do not know if my uncle is innocent or
12 guilty. All I know is that <inaudible> remorseful for what
13 he had done. He has <inaudible> remorseful and maintains
14 his innocence based off of the facts of the case. And with
15 that, <inaudible>.

16 **DISTRICT ATTORNEY LASKY:** Thank you. And I didn't give
17 the spelling. Um, her name is DeShawna, that's D-E-S-H-A-
18 W-N-A, last name West. That was the last statement that I
19 had to provide. Uh, before, I would just ask if Angel or
20 Susan are back online? Um, <inaudible>. Oh, are you back?

21 **VNOK WILCOX:** Yes.

22 **DISTRICT ATTORNEY LASKY:** Okay. Angel, are you back?
23 Would you like to speak next?

24 **VNOK WILCOX:** Um, I'm, I'm not available, too, but
25 my mom definitely wanted to.

1 **DISTRICT ATTORNEY LASKY:** Okay. Then Susan
2 Spottedbear, you're next.

3 **VNOK SPOTTEDBEAR:** Okay. Um, I would just like to
4 say that it's just like my sister is still here, but, and
5 then he came in and took her from me. I'll never have that
6 back. I'll never ever love, I'll never get to see her,
7 talk to her. I don't understand how you can take a life
8 and think you can be free. My sister can't be set free. My
9 sister can't come back. My sister cannot come back and see
10 her children and her grandchildren. My sister cannot come
11 back and celebrate a birthday. <Inaudible> just sit there
12 and have no remorse in your voice. And to sit there
13 shamefully and <inaudible> about what you did to your ex-
14 girlfriend, you should be ashamed of yourself. Thinking
15 what you did, the time you did isn't enough to pay for
16 what you did. It was not. My sister cannot come back after
17 that. Can she? No. You need to stay in there and do your
18 time because you don't have no remorse or showing for what
19 you did. I don't get no, I don't get to have my best
20 friend call me. And <inaudible>, I don't get my best
21 friend to call when I have trouble to cry to. You took her
22 from me and I won't get to see her anymore. You stole that
23 from me. You took my best friend in the earth like
24 everyday. I cannot talk about it because it is still have
25 my heart broken. You have broken my heart and you want to

1 sit there and be set free when you've had broken so many
2 people's hearts. You need to sit in there and think about
3 this. You haven't. You did this to your baby. How can you
4 do it to your own child? And you're supposed to love my
5 sister. How much of all the vows did you honor when you
6 married her? And then to kill your own child. You don't
7 speak of your children. I wouldn't speak of them either.
8 It is shameful what you did. And I'm sorry to say, my
9 sister's not coming back. I don't think you have a right
10 too either. I'm sorry <inaudible>.

11 **PRESIDING COMMISSIONER LONG:** Did we, did we lose Ms.
12 Spottedbear?

13 **VNOK SPOTTEDBEAR:** Yes?

14 **PRESIDING COMMISSIONER LONG:** Oh, I'm sorry. Were you
15 finished or did you have more that you'd like to say?

16 **VNOK SPOTTEDBEAR:** I'm done.

17 **PRESIDING COMMISSIONER LONG:** Okay. Thank you very
18 much.

19 **DISTRICT ATTORNEY LASKY:** And for the record, the last
20 name is spelled S-P-O-T-T-E-D-B-E-A-R.

21 **VNOK SPOTTEDBEAR:** Yes.

22 **DISTRICT ATTORNEY LASKY:** Um, I just want to make sure
23 that we've gotten everyone who want to speak with the
24 exception of Deanna and Shantel. Has everyone else who
25 wanted to speak done so? Okay. Um, for the next speaker,

1 uh, second to last speaker will be Shantel Haynes.

2 **PRESIDING COMMISSIONER LONG:** Okay. Go ahead, please.

3 **VNOK HAYNES:** Um, did you want to do Deanna first?

4 **DISTRICT ATTORNEY LASKY:** That's, I had put you first,
5 but if Deanna wants to go first, that's fine. Deanna, do
6 you want to go? I actually just received a text from
7 Deanna that she's frozen again. So, Shantel, you should go
8 so Deanna can log back in.

9 **VNOK HAYNES:** Okay. Um, uh, do I sound okay? My
10 Internet's kind of acting a little crazy right now. Um,
11 first I want to say thank you to Terrylynn and Michael
12 for, uh, showing up, showing their support today. I do
13 consider both of them as friends at this point. Um, right
14 now, I want to first read you the letter that I sent to
15 the Governor, Jerry Brown, when Patrick was initially
16 trying to shoot for clemency. So, dear Governor Jerry
17 Brown, this may be one of the hardest letters I've ever
18 had to write. My name is Shantel Denay Hanes. I'm Debra
19 Marie BlackCrow's second eldest child of four, Deanna
20 Marie BlackCrow, Shantee Lamont Haynes and Marcus Jay
21 Frison. Our mother was a full blood Native American of
22 Oglala and Arapahoe heritage. She was a little woman
23 standing at a height of 5'2" with a thin stature and
24 weighed about 117 pounds. As a single parent with two
25 failed marriages behind her, her priority was to make sure

1 that her children were loved, fed, clothed and had a roof
2 over their head. She always wanted to demonstrate that no
3 matter the odds, you can become a contributing member of
4 society and strive for higher education. That's the reason
5 why until her death, she was always in school. She also
6 found God in her later years so she was very heavily
7 involved in the church. Sometime in 1995, our mother met
8 Rodney Patrick McNeal. He resided in California but would
9 come to Las Vegas, Nevada to specifically visit her. In
10 the beginning, we were all excited of the prospect of our
11 childhood friends becoming family. I mean really, who
12 doesn't want the family that we choose to actually become
13 family? Sadly, that expectation would soon fade when my
14 siblings and I first witnessed the signs of domestic
15 violence. It was a hard pill to swallow to see how a 6'2",
16 over 200 man could easily subdue such a tiny woman as our
17 mother. I'm not sure what was said but he wrenched her arm
18 behind her back. Our mother yelped in pain and my brothers
19 began to cry. I yelled at Rodney then pleaded him to let
20 her go. Afterwards, my mother tried to reason with us and
21 say that they were just playing rough. We were never
22 exposed to this kind of abuse so we were all really
23 confused and frightened on this matter. From that point,
24 my sister was over being around Rodney. She openly
25 expressed to our mother of her distaste or dislike towards

1 Rodney. Still, with all the red flags, my mother marries
2 Rodney. Shortly after the marriage, our mother decides to
3 move to California with Marcus and her husband. Our
4 father, James Ellis Haynes, who recently retired from the
5 military, moved back to Las Vegas so he kept Deanna,
6 Shantee and me. There were visits to our mother's new
7 dwelling during track breaks, sometimes accompanied by my
8 little brother Shantee, sometimes alone. I can recall not
9 feeling comfortable with the aura that Rodney emitted.
10 Whenever he was around, he was always quiet and distant.
11 It was sort of like he was detached from his surroundings.
12 Our mother tried to make this place a home by cooking
13 stews and soups, watching horror movies with me, taking
14 her kids on bike rides around the neighborhood or teaching
15 us some Lakota words. It was nice at first to see our mom
16 in a new home with new furniture and a new car. The
17 outside appearance seemed happy. As the visits progressed,
18 strange situation began to become apparent. By this time,
19 I was about to start the eighth grade so my mother decided
20 to take me school shopping. I knew something was wrong
21 because once we returned, she instructed me to hide my
22 clothes in a garbage bag and to set them by the trash can.
23 On the day of my departure, she also had me hide mail and
24 to let me know that she will be sending over all of her
25 photos to my father's address. This is also the container

1 that my mother sent the photos in that I kept. Okay. I
2 didn't tell my father of this abnormal experience but it
3 took place in my mother's house but I did tell my sister.
4 During my next visit, I can recall at this point our
5 mother was pregnant. She was always sick and exhausted.
6 Sometimes, Rodney's two daughters from his previous
7 relationship would visit when I was there. I remember one
8 of them wet the bed and threw up all over the sheets in
9 which Rodney forced our sick mother to clean it up. I
10 started to become very rude in the way I spoke to Rodney
11 in an attempt to defend our mother. I did not understand
12 why he would not want to rub the tired feet of his sick
13 pregnant wife, help around the house and care for his
14 children. Eventually, the verbal altercations, physical
15 and mental abuse became regular. There was an instance
16 where our mother found \$500 dollars in Rodney's jacket. I
17 saw the shocked look on her face when she pulled out the
18 money. She literally turned white. I witnessed her take
19 one of her favorite teddy bears and hide the money inside
20 the back seam. She told me to say nothing. Rodney decided
21 to go work out with a full duffel bag but quickly
22 returned. He started yelling at our mother. Where is my
23 money? I know your kids took it. So, my mother replied, my
24 kids don't steal. What money? He quickly responded, my \$5.
25 Our mother told him, why are you stressed over \$5? I heard

1 a commotion and my brother Marcus ran and told me that
2 Rodney pushed our mother over his duffel bag. Marcus told
3 me Rodney's daughter saw it happen. Cops were called again
4 and I tried to convince the little girl to tell them what
5 she saw. Rodney only ended up having to leave for the
6 night. Another incident I can recall was walking into the
7 master bedroom and seeing our mother crying. She was
8 crying quite frequently by this point. I put my arm around
9 her and tried to console her as much as a 13-year-old
10 could. Rodney came back in the house and I started to yell
11 at him. His way to retaliate was to take our Native
12 American grandfather's bone work, throw it on the concrete
13 and stomp all over it, pulverizing any trace of history,
14 the family heirloom. Shocked by his actions, my yelling
15 spewed to every sort of profanity I could think of. Our
16 mother, in her sadness, grabs his graduation cap and gown
17 and shreds it. Rodney goes into the bedroom, grabs a few
18 items and leaves the house. A few hours later, our mother
19 realizes that Rodney took her glasses, contacts and
20 information. Our mother was a -7 in both of her eyes,
21 which means she was legally blind without her glasses. We
22 called the cops yet again and literally spent an hour
23 searching the whole house and yard to no avail. The next
24 day, our mother gave me an impromptu driving lesson to get
25 her around town and I remember seeing her on the phone

1 pleading for Pat to give her back her items. Eventually,
2 he returned home and her items magically reappeared. At
3 this point, I was overstaying at their home so our mother
4 would take trips to visit us in Las Vegas. We were always
5 thrilled of these visits because we would have our mother
6 to ourselves. Well, when she didn't bring Rodney. On one
7 of her visits, all of us kids were sleeping in the living
8 room. My mother was on the couch at her friend's
9 apartment. She gave me a sonogram picture. I hope you all
10 see this. This sonogram picture is the only photo I have
11 of my baby sister, Samara. We watched movies and she made
12 dinner. Although we were happy, we always dreaded the day
13 when our mother had to go back to California. Somehow,
14 Rodney would find a way to seep his poison into the
15 picture. This is also when her car got stolen. Rodney did
16 not seem too concerned of how his pregnant wife would get
17 around, let alone back home. It was one of the many
18 moments of complete hopelessness that I have seen on our
19 mother's face. Even in Las Vegas, she could not escape the
20 drama from her husband. My sister would express how she
21 felt about Rodney and urged our mother to leave him.
22 Rodney had already threatened to beat my sister with a bat
23 and Deanna was there to witness the threatening calls from
24 his daughter's mother. Debra was also witness to Rodney
25 taking all, or Deanna was also witness to Rodney taking

1 out all the money of their joint bank accounts, which
2 forced our mother to pawn their wedding rings and jewelry
3 to survive during her visit in Las Vegas. I believe Rodney
4 filed those items as stolen. And my sister will be able to
5 provide her firsthand account in regards to Rodney's
6 character. Finally, our mother decided to leave Rodney. I
7 remember the last day that I saw her like it was
8 yesterday. It was about two weeks before my 14th birthday.
9 She told us she needed to go take care of some things in
10 California. When we hugged, for some reason, I didn't want
11 to let her go. Hugging her was like wrapping your arms
12 around a little frail lady hiding a basketball in her
13 shirt. She was so small. I can still remember how her hair
14 smelled. I remember her saying that she loved us and she
15 would be back. If I knew that would be the last embrace
16 from our mother, the last time I would hear her voice, the
17 last time I would hear her say I love you, I probably
18 would have held her tighter. I probably would have told
19 her we need her and that she should stay in Las Vegas and
20 leave everything behind in California. I would have begged
21 her to never look back. On March 10, 1997, our mother was
22 on the phone talking to my sister about getting her back
23 into school. It was the afternoon time so Marcus was in
24 elementary. She told Deanna she was getting ready to go to
25 a doctor's appointment and that she would be back in Vegas

1 soon. Nothing was out of the ordinary. So, it seemed
2 everyone was excited that our mother and brother was
3 finally coming back to Las Vegas for good. That night, we
4 all go to sleep. Around 3 AM, my cousins come into my
5 bedroom and say we all need to go to the living room. I
6 got a little nervous because I thought something had
7 happened to my auntie. Once seated, I could hear the hurt,
8 I could see the hurt in my father's eyes. He could barely
9 utter the words. Your mother is dead. Somebody killed her.
10 Immediately, I was scared for my brother Marcus. My father
11 tells us that the authorities sent him back to Georgia.
12 Within an instant, our entire world got pulled from under
13 us. Whoever killed our mother also killed her children's
14 future for anything normal. They took away our matriarch.
15 They took away the bond that all siblings have that grow
16 up together share. Once it was confirmed that Marcus was
17 safe, we all knew it was Rodney. Their courtship and
18 marriage was very volatile. Our mother was going to leave
19 him and Rodney knew this. I believed he decided that it
20 was now or never in regards to cashing in on the insurance
21 policy. Rodney ripped Debra's life from her children,
22 family and friends because of his own selfish greed. He
23 convinced our mother to make him the sole beneficiary on
24 her life insurance policy and within months, she was
25 brutally murdered. Every possible means of killing a

1 person, our mother had to endure. No person should ever
2 have to go through that much trauma. It was overkill. She
3 was barely laid to rest and here's this monster, sitting
4 in the back row of his wife and child's funeral, showing
5 no signs of grief. There were no tears coming down from
6 his face or any attempt to console her family or her
7 children. All he could speak upon was the insurance
8 company and the payout. It ended up being the insurance
9 company that was able to get California to further their
10 investigation into the murder and by no means was it was
11 an overnight rushed affair. It took years of diligent
12 investigations to finally put Rodney where he belongs,
13 behind prison walls. During the trial, our lawyer at the
14 time and now District Attorney of San Bernardino, Mike
15 Ramos, asked if we would like to seek the death penalty or
16 life. I chose life. I told him that I want Rodney to sit
17 in prison everyday of his sentence and really understand
18 why he was there. I wanted Rodney to feel every ounce of
19 anguish and pain that he has caused by not only taking the
20 life of a mother but also the life of his own daughter.
21 For what? Money. It's been 18 years since the first day
22 everyone's life changed. I recently discovered that Rodney
23 is being backed by the California Innocence Project on the
24 grounds that he was wrongfully convicted for the murder of
25 our mother. While reading this California Innocence

1 Project's findings, I was absolutely appalled with the
2 fact that they so conveniently overlooked and dismissed
3 the fact that Rodney was a parole officer. Debra was a
4 5'2" Native American woman who only weighed 117 pounds and
5 she was the mother of four minor children, one which was
6 living at the residence at the time. She was pregnant with
7 a seven-month, with her seven-month-old unborn daughter,
8 Samara. I only bring this to light because their timeline
9 states that he was unable to pull her out of the bathtub
10 when he found her and also that it was a hate crime. There
11 were only two people on God's green earth that had any ill
12 will towards our mother and that was Rodney and Rodney's
13 daughter's mother, Amber. They failed to admit and mention
14 in detail the countless domestic violence calls against
15 him and the insurance policy motive. When I contacted the
16 CIP, they could not give me a good enough reason why they
17 did not contact Debra's children or any other party
18 involved in the legal proceedings for convicting Rodney.
19 Their only concern was to use the media to display this
20 monster as an innocent man. They painted our mother as
21 some crazy lady. They never even mentioned her name or
22 showed any pictures of her. The newest update is that
23 they're attempting to file clemency for Rodney. That's the
24 reason why I decided to write this letter. I am now a 32-
25 year-old woman and not a day goes by that I don't cry for

1 our mother. I wish one day to not have to look over our
2 shoulder in fear that Rodney will be released. I dream of
3 the day when I can scroll through the internet and not see
4 that Rodney trying to be set free. I pray that the system
5 prevails and justice remains intact for our mother. I pray
6 that this monster stays where he belongs and no other
7 family has to go through this nightmare that we went
8 through and are still going through. I really do hope that
9 this letter is added to Rodney's clemency file and is
10 immediately denied. Our mother didn't receive clemency for
11 her life or the life of our sister. She was just seen as a
12 piece of paper that someone could profit on. And as long
13 as I breathe, I will be the voice of our mother. People
14 will know the truth and I will not be fed lies on how
15 Rodney is, and will not be fed lies on how Rodney is
16 innocent. This was the letter that I sent to Governor
17 Jerry Brown back in 2015 once I had found the, when we
18 found out that the California Innocence Project was
19 representing him since 2007. I wrote this letter for you,
20 Board, and please forgive me for taking so long. This is a
21 lot to unpack. Good morning. Good afternoon. Um, this is
22 my impact letter to the Board of Commissioners in regards
23 to denying parole for Rodney Patrick McNeal. How the
24 murder has affected my life? In a short answer, I may
25 never be able to heal. Before the murder, I think about my

1 mother and it's actually eight days before her 61st
2 birthday. She would be high risk during this COVID time
3 and I would like to be able to try to keep her safe from
4 this. She was a Native American woman, Oglala Lakota
5 Sioux, seven months into her pregnancy. And I remember how
6 she always smelled like her favorite perfume and how she
7 always wore kitten heels even with sweat pants. And I
8 remember her laugh and her corny sense of humor and how
9 she would cook us stews and teach us our Lakota language
10 and how she would let me run my hands through her hair to
11 examine all her grays. I remember when we would pray
12 together and she would let me hold her hand until I fell
13 asleep. I remember how we would go to Walmart on Fridays,
14 pick out some Snickers and some Sprites and then rent
15 movies from Blockbusters or watch like a premiere on HBO.
16 I remember her smile. I miss her. These are some pictures
17 of my mom that I hope you can see. I hope you can remember
18 how beautiful she was. The woman that you took from us, my
19 mother. Not a day goes by that I don't think about her.
20 Sometimes. I even see her in passing and then realize that
21 I'll never be able to get to see her smile, feel the
22 warmth from her hug or hear her laugh again. I remember
23 witnessing the domestic violence that Rodney afflicted
24 upon my mother. I remember always seeing her crying and
25 sad. I remember the helplessness and hopelessness in her

1 eyes. I remember her vibrant personality becoming dim. But
2 I also remember when my mom had enough strength in her to
3 say that is it, she was done with her marriage and she was
4 about to return to Las Vegas for her children. This is
5 when the world got ripped from under me. My mother was
6 brutally butchered by the person she was supposed to trust
7 the most, her husband. Board, I ask you, what is good
8 behavior to you? Patrick was my judge, jury and
9 executioner. Patrick passed down a life sentence on all
10 the people who cherish my mother the most. To brutally
11 murder his own wife and his unborn daughter, his own flesh
12 and blood, and for what? Insurance policy. They say that
13 Patrick's sentence being commuted by 37 years is because
14 of good behavior. I really hope you think about that,
15 Parole Board. Patrick was a parole officer himself. So, as
16 a parole officer, they're supposed to know that they are
17 held at a higher standard for what is right and wrong.
18 They are also separated from general population and cannot
19 get into trouble while in prison because they are
20 separated from general population. Yet here we are.
21 Patrick gets his sentence. Two consecutive terms of 15 to
22 30 years passed down by his peers, commuted by 37 years,
23 ultimately devaluing the life of my mother and my unborn
24 sister. What I ask you, what is good behavior? Rodney
25 never once, in his 23 years, ever stated or shown any type

1 of remorse or pain or wanting to see or feel the caring
2 touch of his wife or daughter, never expressed a longing
3 to meet his unborn daughter. From the news articles,
4 Patrick has only been worried about himself. Yes,
5 countless news articles. For the past 13 years, they have
6 been impacting my life on a daily. Somehow or another,
7 Rodney convinced the California Innocence Project to take
8 his case by blaming his brother Jeff West. Yet again,
9 Patrick is willing to sacrifice his own sibling to find a
10 way to get out of his sentence. The same family that
11 supports my mother and her children because they know
12 Patrick is guilty. The same family that is saying the
13 following on my change.org petition that almost has 5,000
14 supporters to keep justice to my mother's name. And I read
15 you this, this comment. This is from Juanita Lamar, which
16 is your other niece. Justice for Debra. I will always hold
17 Debra and her family near and dear to my heart. I stand
18 behind your cause 100% and will contribute. Rodney Patrick
19 and anyone associated with supporting him or assisting him
20 has never and will never have my support. May the truth
21 continue to be revealed. Justice for Debra. Board, I ask
22 you again, what is good behavior? Is it good behavior when
23 as soon as my mother's murdered, Rodney didn't sit with us
24 at the funeral but in the back and not shed a tear and all
25 he could think about was the insurance policy money? Even

1 after he was convicted in 2000, he held the insurance
2 policy up from being distributed to my mother's and, my
3 mother's children by asking, what about his children? What
4 about his children? The question should have been, what
5 about Debra's children? The ones who no longer have a
6 matriarch? The ones who no longer get to grow up together
7 and form a solid family bond, share memories and
8 milestones together? Patrick never thought about that. In
9 this past 23 years, I have never heard Patrick had any
10 ounce of remorse. Is it good behavior to somehow, even in
11 prison, Patrick is able to manipulate a woman to be his
12 girlfriend and create a Facebook page for you? A Facebook
13 page that shared photos of the crime scene? Photo of my
14 mother's blood that I had to see? This is proof time and
15 time again that it does not take a gun or a knife to kill
16 someone or continue to torment them. It just takes
17 someone's words. And Patrick's mouth is a deadly weapon,
18 even in prison. It could be because he had a degree in
19 criminal law that the California Innocence Project got
20 involved. For the past 13 years, I have been, they have
21 been, excuse me, they have been spinning a narrative to
22 the case and have provided misinformation to make it seem
23 as though Patrick is innocent with inconclusive DNA and
24 uncredible witnesses, they attempted to be granted habeas
25 corpus appeals and clemency, all which have been denied.

1 So, I feel as though they threw a Hail Mary pass to get a
2 commuted sentence, which is granted by the current
3 governor, Gavin Newsom. It would have been nice if
4 Governor Gavin Newsom would have taken the time out of his
5 life after the current District Attorney of San
6 Bernardino, Jason Anderson, already denied to commute his
7 sentence. It would have been nice if Governor Gavin Newsom
8 read what I mailed to the previous governor, Jerry Brown,
9 because he would have fully understood Patrick's character
10 outside of prison. But he did not. Instead, he saw Patrick
11 as a parole officer that can get his life sentence passed
12 down by 12 of his peers commuted by 37 years. He did not
13 see how beautiful our mother was. He did not see the
14 domestic violence victim attempting her last escape from
15 being victimized. He did not see the parole officer taking
16 advantage of his power for monetary value. He just sees a
17 parole officer in prison and commuted his sentence to make
18 it look good for his campaign and his agenda. Well, I'm
19 here to say that does not work. It does not work like
20 that. Patrick may have brutally and heinously murdered my
21 mother, beat her, stabbed her, strangled her, drowned her,
22 burned her skin with cleaning products trying to make it
23 look like a hate crime, but Patrick did not kill her
24 spirit because she lives within me. I'm a grown woman now.
25 I was only 13 then, but I'm 37 now and I'm much stronger.

1 And everyday that I breathe, I'm going to make sure that
2 Patrick does exactly what I said 23 years ago, to serve
3 his full 60 years sentence in prison so he could fully
4 grasp the trauma that he has caused, not only upon my
5 mother and my unborn sister, whom I will never get a
6 chance to meet, but also on the collateral victims, my
7 mother's children. If I could ask him anything, it would
8 be, where's the mercy granted to my mother and sister? Can
9 they get their <inaudible> commuted? Well, Patrick, I
10 granted clemency to you. I granted you mercy. When I was
11 16 and asked if we wanted to shoot for the death penalty,
12 I chose life. This move that Governor Gavin Newsom did is
13 unacceptable. This move that the California Innocence
14 Project continues to do is unacceptable. Patrick has only
15 completed a third of his sentence and is about to
16 potentially be able to live a full second act. That is not
17 what the community nor the jury of his peers said he
18 should serve. Patrick is guilty and he can still terrify
19 people who remember his actions. I would be lying if I
20 said I would not fear for my well-being knowing how hard I
21 have fought to keep him in prison. If he was released, I
22 definitely would not feel protected from him, possibly
23 retaliating against me, which has ultimately propelled my
24 cause much greater than any shady nonprofit can attain.
25 I've found my purpose. My purpose is to make sure that

1 Patrick stays where he belongs. My purpose is to make sure
2 that police reform is real. My purpose is to make sure
3 that justice is served and remains intact for domestic
4 violence victims and for the missing and murdered
5 indigenous women. My purpose is to make sure that justice
6 remains in my mother's name. Board, I ask you, please deny
7 the parole for Rodney Patrick McNeal by at the bare
8 minimum seven years, which will be the remainder of his
9 30-year sentence. This will allow my Native American
10 community to fully investigate all facts pertaining to
11 this case, the <inaudible> and Rodney, that Rodney was
12 classified under even though he was 27 years, five months
13 and nine days old when he committed the crime and the
14 blatant misinformation given to the governor, Gavin
15 Newsom, by the California Innocence Project. Thank you.

16 **PRESIDING COMMISSIONER LONG:** Thank you, Ms. Haynes.

17 **DISTRICT ATTORNEY LASKY:** Thank you. And the final
18 speaker will be Deanna BlackCrow.

19 **VNOK BLACKCROW:** Can you hear me?

20 **PRESIDING COMMISSIONER LONG:** Yes.

21 **VNOK BLACKCROW:** Can you hear me?

22 **PRESIDING COMMISSIONER LONG:** Yes, we can hear you.

23 **VNOK BLACKCROW:** Hello. My name is Deanna
24 BlackCrow. Um, I'm the oldest daughter of Debra BlackCrow.
25 I knew this would be really hard for me to do because it

1 is still very hard for me to talk about. Rodney knows
2 exactly how I've always felt about how Juanita Lamar was
3 my best friend and the idea of us being cousins was very
4 exciting at first. But when I got to see the things that I
5 seen, the domestic situations that my mother had, um, was
6 inflicted on her by Rodney, um, I feel that, um, things,
7 of course, changed quickly for me. I no longer felt the
8 way that I felt with the idea of just being cousins with
9 my best friend. He knows exactly how I've always felt
10 about him. He's made sure to always keep himself distant
11 from me. Nothing about that has changed today. I feel that
12 our lives have always and forever been changed since March
13 10th, 1997 because of Rodney Patrick McNeal. The husband
14 of our late mother killed her and their unborn child, our
15 sister. There has never been a sign of remorse,
16 explanation or apology from Rodney. The person not only
17 killed our mother but took his child's life. Reform is a
18 process of change. Showing that a person has improved and
19 changed their ways in over 20 years, never have I
20 witnessed that from Rodney. This person has pointed blame
21 and never took accountability for what he did. His brother
22 had no motive, but Rodney did. His greed for money. He
23 lied about the jewelry. She pawned for her to have money
24 for food because he depleted their bank account while she
25 was seven months pregnant. I witnessed that. I was at that

1 store. I went to the Smith's. I was 16 years old and it
2 wasn't a pizza party. I was 16 years old and I wasn't in
3 trouble with the law. I was in trouble at school. That's
4 why my mother was visiting, coming back and forth during
5 that time in Las Vegas. I was there. I watched my mother
6 cry because she had no money and she was pregnant with his
7 child. And I watched her go across the street to that pawn
8 shop and pawn not only her ring, but more jewelry to get
9 money. I was there for that. I witnessed my mother going
10 through that. My frail 120-pound mother. I watched my
11 mother cried and I begged her so many times to leave him.
12 I've never once visited. I've never once, um, I tried one
13 time to encounter, you know, his girlfriend and I had to
14 be a witness of her threatening my mother through a phone
15 call. And I promised myself I would never visit their
16 apartment or my mother again because I could no longer
17 take seeing my mother going through a domestic and abusive
18 relationship with Patrick, with Rodney. He threatened me
19 at 15 years old to beat me with a bat. I am a young girl.
20 Why are you threatening a young girl to beat her? There
21 was so much pain and hurt that he inflicted on my mother
22 and our family. This is not a good person. I'm, during my
23 mother's funeral, it was really hard for me and seeing the
24 person that she married never cry once, never show
25 remorse, never came near us, never shared care, never has

1 he ever reached out to us, never has he expressed any kind
2 of anything, accountability for anything that he's ever
3 inflicted on our mother. And he did, he did nothing to
4 show me that he cared for her. He never cried once at the
5 funeral. Why? Because he, he felt no remorse for killing
6 my mother and his child, our sister. My mother had missed
7 so many things in our life. My high school graduation,
8 something I worked very hard to come, that was something I
9 worked very hard at after losing my mother. I worked
10 really hard. Her trial and everything, you know, with her
11 death, her funeral and everything that I had to fight to
12 get back in when it came to school and I fought very hard
13 to get it. And I did it for her and she wasn't there. She
14 missed my high school graduation. She's missed college, my
15 college graduation, my wedding, the birth of four of my
16 children. She is never going to know what it's like to be
17 a grandmother. Those are life moments that I wish we could
18 have had together. The greatest impact that I've seen the
19 23 years was not having my mother to share all this life
20 moments with. I miss her every single day. And he took her
21 away for greed. He can point blame because he's too
22 cowardly to own up to what he did. He can fool everyone
23 else but I've never liked him. He has always kept his
24 distance their entire relationship. I've never visited
25 their home once because of his spirit. They were married

1 for a little over two years and I've never once seen their
2 home because I could not take <inaudible> and the way that
3 he treated my mother and the fact that she wouldn't, it
4 took her so long to want to get out. He does not have me
5 fooled here. He has not changed. And his release could not
6 bring, could definitely bring harm to us and society. I
7 worry he could prey on another woman and her family. He
8 has never once contacted us with concern or regard. That
9 is not a person that has changed. If he were let back into
10 society, he could very well do this to another woman and
11 her family. Please keep this person where he belongs.
12 There was no amount of time that could bring our mother
13 back. Her time was up 23 years ago. So, no matter what
14 happens in this parole hearing, she'll be gone forever.
15 And Rodney Patrick McNeal will always be responsible. I
16 ask you to please continue holding him accountable for
17 murdering our mother and their child, our sister. Do your
18 time. For once, be accountable. My mother's birthday is a
19 few days away, but this is a time that we should be
20 celebrating her, her life. But she is gone and she is not
21 here anymore. What he has expressed today has shown me
22 that he's very superficial, greedy and his thought process
23 today is just like it was then. It is no different. It is
24 definitely the same way it was when it came to killing our
25 mother. I'm asking you to please get my mother her

1 rightful justice and keep him in prison. She is still very
2 much loved and missed. And I'm asking you to continue the
3 justice for my mother. And I thank you.

4 **PRESIDING COMMISSIONER LONG:** Thank you very much.

5 **DISTRICT ATTORNEY LASKY:** Commissioner, that concludes
6 the victim impact statements.

7 **PRESIDING COMMISSIONER LONG:** Okay. I want to thank
8 everybody. And this has been a real challenge. Uh, uh, we
9 will now recess for deliberations. You'll see Commissioner
10 Lam and I leave the Skype meeting and ask everybody to
11 remain on. We will return upon conclusion of our
12 deliberations.

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[RECESS]

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CALIFORNIA BOARD OF PAROLE HEARINGS**DECISION**

1
2
3 **DEPUTY COMMISSIONER LAM:** We're on record. We're back
4 on record.

5 **PRESIDING COMMISSIONER LONG:** Thank you. The date is
6 September 3rd, 2020. The time is approximately 1452 hours.
7 All parties present prior to Panel's deliberations have
8 returned. Mr. McNeal, our legal standard today is to
9 determine if you continue to pose an unreasonable risk to
10 public safety and accordingly, a denial of parole must be
11 based on evidence in the record of your current
12 dangerousness. The evidence we considered today were your
13 central and master files, the comprehensive risk
14 assessment conducted by Dr. Carman on June 17th of 2020,
15 the testimony provided by you today, the statements from
16 all the victims' family members and support of
17 representatives, uh, the input from Deputy District
18 Attorney Lasky and inmate Counsel, Ms. Sheppard. We did
19 review the confidential file, including the most recent
20 memorandum dated April 25th of 2002. We did not rely on
21 that information due to the passage of time. Mr. McNeal,
22 we have a split decision today. As the Presiding
23 Commissioner, I will render my decision first and then
24 Deputy Commissioner Lam will then render her decision. Uh,

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 1**

1 our case, this case will then be referred to the other 16
2 Commissioners en banc and they will evaluate the evidence
3 and render a decision. So, Mr. McNeal, based on the legal
4 standards and evidence considered, I find that you do not
5 pose an unreasonable risk to public safety and are
6 suitable for parole today. Uh, there's a factor that
7 aggravates your risk. We find, I find that your self-
8 control throughout your criminal history, uh, was an
9 aggravating factor. You responded to an insecurity and a
10 criminal mindset in antisocial ways. You were manipulative
11 in ways to avoid following the law. You were impulsive and
12 failed to think of or recognize consequences when
13 committing crimes, and an example of that would be filing
14 the false insurance claim after your, uh, the death of
15 your wife. And you demonstrated exceptionally poor
16 decision making. You were callous towards others as you
17 testified to in this hearing today, and you did have a
18 criminal attitude. However, I find that the factors
19 aggravating your current risk are significantly outweighed
20 by factors today that mitigate your current risk. I note
21 the comprehensive risk assessment determined you pose a
22 low risk of future violence, which means you pose non-
23 elevated risk relative to other long-term offenders. Your
24 criminal and parole history was a mitigating factor.

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 2**

1 You've had no prior criminal history before the life
2 crime. No history of being under the terms of supervised
3 release. I find your programming to be strongly mitigating
4 today. The comprehensive risk assessment does not identify
5 risk factors remain currently relevant for you and the
6 character defects – programming, uh, both as a participant
7 and as a facilitator, including GOGI, Criminal Gangs
8 Anonymous, Domestic Violence programming, and much, much
9 more. Uh, you did attain five Associate of Arts degrees
10 while in prison and a certificate in HVAC and a voc
11 computer and related technology.

12 **DEPUTY COMMISSIONER LAM:** Commissioner, I'm so sorry,
13 but you cut out. So, could you go back to the sentence
14 that you said that he took GOGI and all that because all
15 that was gone?

16 **PRESIDING COMMISSIONER LONG:** Oh, very good. Um, so
17 I'll just start at the beginning of that paragraph once
18 again. The comprehensive risk assessment does not identify
19 risk factors that remain currently relevant for you and
20 the character defects present at the time of life crime
21 have been addressed through active participation and
22 completion of significant self-help programming, including
23 GOGI, CGA, Domestic Violence programming, and much, much
24 more. And that was both as a participant and as a

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 3**

1 facilitator. You attained five Associate of Arts degrees
2 and a certification in HVAC and voc computer and related
3 technology. Significant amount of programming. I find that
4 your institutional behavior is also a mitigating factor.
5 You've had no misconduct whatsoever in almost six years,
6 no violent rules violations during your entire
7 incarceration and only two serious rules violation, uh,
8 violations in the 23 years. Plus, you had demonstrated
9 behavior that goes above and beyond rule compliance, uh,
10 giving to charities. You have 60 laudatory chronos. I've
11 never seen that. And why that carries weight, uh, I spent
12 a lot of years working in a correctional environment and I
13 can tell you that the people that see you everyday, they
14 know you best. They see you at night. They see you at
15 work. They see you at school. They see you everyday for a
16 period of years. And for them to be willing to put pen to
17 paper that many of them, uh, to, um, uh, present laudatory
18 chronos to you for your exemplary behavior says a lot
19 because the prison environment is not an environment that
20 lends staff, uh, that encourages staff to put their hand
21 up for an inmate. Um, and I also note that you've been
22 tutoring other inmates, which is, uh, also going above and
23 beyond rule compliance. Uh, I find the offender change
24 category to be mitigating today. You've clearly

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 4**

1 demonstrated change, excellent impulse and behavioral
2 control for almost six years, respect for rules, authority
3 and laws. And this change was initiated well before the
4 commutation, which reflects that your change was motivated
5 for the right reasons. You distanced yourself from
6 negative influences in prison, uh, where you were involved
7 in some negative stuff early on, uh, and since have
8 engaged in pro-social pursuits. I did find you to be
9 candid and credible in your testimony today when you, um,
10 testified to and admitted to misconduct in the community
11 and in prison that we would not have known about without
12 you, uh, telling us. And you demonstrated emotion of what
13 appeared to be sincere remorse, uh, in your testimony
14 today. Um, although you denied committing the murders, you
15 do accept the responsibility for your actions that you
16 believe precipitated the murder, and you've clearly
17 internalized the programming that you've engaged in. Uh,
18 and so, I just will, uh, put on the record once again the
19 comments from Dr. Carman in the comprehensive risk
20 assessment page 10, Mr. McNeal denied committing the life
21 crime. He discussed his innocence and his Attorney sent
22 documents supportive of his innocence. Even if one finds
23 his claim of innocence implausible, his discussion of the
24 other contributing risk factors presented is very

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 5**

1 insightful and suggestive of improved ability to recognize
2 and internally manage his own risks, particularly as they
3 relate to domestic violence and healthy relationships.

4 Thus, even in denying the life crime, he reflected a great
5 deal of insight into other risk factors and all he
6 presented is quite genuine in discussing the harm he has
7 historically caused directly and indirectly in a very deep
8 and meaningful way. Both records and his discussion
9 reflected he was relatively high functioning in the
10 community prior to the life crime and in prison. Despite
11 saying he was, he has been wrongfully convicted, he's
12 approached his sentence with a positive attitude. He had a
13 couple of glitches with cell phone use and selling heroin
14 many years ago, but he readily accepted responsibility for
15 this. He admitted to undetected crimes such as theft when
16 he could have just as easily have lied. It was evident in
17 the discussion that he's embraced change and has addressed
18 negative aspects of his past, that he made important
19 changes earlier in a sense prior to an earlier opportunity
20 to parole, to parole leaves the impression of more
21 sincerity in the changes he has made since they have been
22 more longstanding and not instigated by his upcoming
23 hearing. He exhibited good insight into his historical
24 risk factors in a manner that was highly impressive. His

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 6**

1 insight combined with his remorse and empathy appears to
2 have decreased his risk for violence. And so, I wanted to
3 read that I, I strongly agree with Dr. Carman's
4 assessment. Um, and so, in addition, Dr. Carman did
5 conduct an analysis of, uh, Mr. McNeal's psychopathy on
6 page eight and stated the following, Mr. McNeal's total
7 PCL-R score is well below the mean of North American male
8 inmates and also well below the cutoff or threshold
9 commonly used to identify this social or psychopathic
10 personality. So, I do not find that Mr. McNeal's claim of
11 innocence is implausible today. While the evidence
12 reflects Mr. McNeal most likely committed this crime, his
13 version of the events and alternate theories are not
14 implausible or inconceivable. Said another way, it is
15 possible that his version of events is true. There are a
16 number of inconsistencies in the evidence that lends some
17 credence to his claim of innocence. Based upon the phone
18 records, approximately 15 minutes passed between the time
19 Mr. McNeal left the office and police arrived at the
20 murder scene, which they arrived at about 12:35. And, uh,
21 depending on where you look in the record, it's
22 approximately an eight to 10-minute drive from the office
23 to the home. Uh, and so, according to the record, during
24 the time frame, Mr. McNeal drove from his work site to the

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 7**

1 house, strangled Debra McNeal, stabbed her 15 times in the
2 back, stage the crime scene by creating a mess and opening
3 drawers, uh, wrote a racial epithet on the mirror,
4 attempted to clean up the crime scene with Clorox and
5 Lysol, uh, ran water in the bathtub, filled up the bathtub
6 and drained it, uh, cleaned himself up and then somehow
7 disposed of his bloody clothes in a way to avoid detection
8 by the forensic team. The unidentified hair, uh, not
9 matching the victim or Mr. McNeal was, I found to be
10 troublesome, was found on the victim and it leads some
11 credence, uh, to Mr. McNeal's claim that his brother may
12 have committed this crime and the possibility noted in the
13 record that his brother took the hair from a homeless
14 person to plant at the scene. A third possibility also
15 exists that this really was a hate crime given the racial
16 epithet written on the mirror and the fact that Mr. and
17 Mrs. McNeal were an interracial couple. For these reasons,
18 I did not find Mr. McNeal's claim of innocence to be
19 implausible today. However, under the law, even if I were
20 to find Mr. McNeal's claim of innocence implausible, I
21 must draw a nexus between a lack of insight and current
22 dangerousness. Again, Mr. McNeal demonstrated very good
23 insight into the causative factors of his crimes, both in
24 his interview with Dr. Carman on June 17th, 2020 and in

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 8**

1 his testimony today. In addition, there are no recent
2 behaviors or other factors that demonstrate a nexus to
3 current dangerousness. I also evaluated the release plans.
4 Uh, Mr. McNeal has concrete, realistic plans addressing
5 the community stability factors, one of the most
6 comprehensive if not the most comprehensive parole plan
7 I've ever seen. Took the initiative to gain acceptance to
8 transitional housing, uh, prospective employment there
9 that we discussed on the record. He's got a sizable bank
10 account and a car already. He has significant pro-social
11 support. Uh, and therefore I found the release plans to be
12 a mitigating factor today. So, again, based on these
13 findings, I conclude, Mr. McNeal, that you do not pose an
14 unreasonable risk to public safety and accordingly find
15 you suitable for parole today. Um, and, uh, if you are
16 released from prison, you'll be <inaudible> all the
17 general conditions of parole as required by law as well as
18 any special conditions of the parole as imposed by the
19 Division of Adult Parole Operations. So, in addition, I
20 order the following special conditions of parole. I order
21 that you participate in a transitional housing program.
22 So, now, I will turn it over to Commissioner Lam for the
23 reading of her decision.

24 **DEPUTY COMMISSIONER LAM:** Thank you so much. Um, so I,

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 9**

1 I'm going to confess that I am a little exhausted, so I'm
2 sorry if I'm going to be a little slow in my decision. My
3 brain is not, uh, as sharp right now. I want to start by
4 saying to you, sir, that I don't take the split lightly. I
5 know you've done a lot of programming. I know, um, you've
6 helped a lot of people. I know that you have been
7 disciplinary-free for six years. Okay? So I do not take
8 this split lightly at all. But I am so troubled by your
9 testimony, the record and your lack of credibility that I
10 cannot, in good conscience, put my name on your grant.
11 Okay? So let's start with the elephant in the room, your
12 claim of innocence, um, and the theory that your brother,
13 uh, committed the crime that, that you're throwing at us.
14 I find it implausible. I find your claim of innocence not
15 credible. Why? Because nothing adds up. What you
16 presenting to me does not add up. I do understand that
17 your case is very, it's a circumstantial evidence and
18 there is no smoking gun and there's no eyewitness who can
19 say that you stabbed your wife 15 times and strangled her.
20 But the circumstantial evidence we have, it's pretty
21 overwhelming. And the jury obviously bought it and that's
22 why you're convicted. I want to start and I'm going to try
23 to summarize as fast as I could and, and keep this as
24 short as I can, but this case is so fact intensive that,
25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 10**

1 that you're going to have to bear with me here. But you
2 claim that you get there at 12:30. You found the victim
3 dead. Uh, I I'm reading, um, the appellate decision. The
4 police arrived. This is page nine, and this is, uh, page
5 29 of the master packet of 382 appellate decision page
6 nine, second paragraph. It says you didn't arrive home
7 until 12:30 but the police arrived at 12:32. It says here
8 12:32, two minutes later. So, your story is that by the
9 time you got there, you found her dead, you claim that you
10 got there at 12:30. Um, the, your timeline doesn't make
11 sense. You claim that you got there at 12:30, you found
12 the body, you stayed there for about a minute, ran to your
13 first neighbor and tried to get help, nobody was there,
14 ran to your second neighbor, nobody was there, then you
15 ran back into the house and then you try to lift her from
16 the tub and then you decide to not do that and then you
17 run back to the second, uh, um, neighbor and called, and
18 this time somebody answered. I mean, the, the, the court
19 found that you couldn't have possibly done all that in two
20 minutes, called the cops and the cops is there by, in two
21 minutes, um, which tells me, sir, that it's obvious that
22 you were there way before 12:30 and had plenty of
23 opportunity and time to commit this murder. Your, you
24 told, according to appellate decision, you told your

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 11**

1 sister-in-law that you arrive home at noon, which actually
2 corroborates the neighbor's testimony that she saw your
3 car there at 12:15. Um, you know, the experts testify at
4 trial. It only takes three minutes to strangle someone to
5 death. And the detective, I believe, also tested himself
6 and showed that it only took 22 seconds to write the word
7 N lover on the mirror. That leaves you other minutes to
8 me, I believe, for you to clean up, uh, and, and, and,
9 and, um, make up the story that you found, you, you came
10 home and you found her dead. Um, and this is where I was
11 very convinced throughout the hearing. There was one
12 moment in the hearing that clinched it for me and I
13 believe wholeheartedly that you are not telling the truth.
14 When the Commissioner, you know, you came to this hearing,
15 you had an answer for everything. I'm going to give you
16 that, sir. You're very smart. You're very high functioning
17 obviously. You were a probation officer. You had a
18 master's. You were working in your master's degree. You
19 are very, very bright. Um, so, you know, I found that you
20 came in here, you had an answer for everything except one.
21 And I think that was the most telling for me. When the
22 Commissioner asked you, because you claim you ran back
23 into the house, you grab her body and then you decide to
24 put her back and then run for help and he asked you, why,

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 12**

1 why is there nothing, no blood in your shoes? There's no,
2 you know, I should have followed up. But the record also
3 shows there's no blood on your shirt. There's no blood on
4 you. There's no water because there was, there was, um,
5 evidence that there was water in the tub. And when he
6 asked you, how come? You were stumped. You were totally
7 stumped. And you're like, uh, I don't know. Well, sir, she
8 was stabbed 15 times. If you move the body, we should at
9 least see that. And the reason we don't see that, sir is
10 because I believe that did not occur. I believe you, and
11 the jury already convicted you so I'm not retrying it, but
12 I, I believe that you committed the crime, had time to try
13 to wipe down things, change your clothing and that's why
14 we don't see blood or water, anything on you because if
15 you grab a body that's been stabbed 15 times, we should
16 see blood on you. You obviously changed your clothing. And
17 I do not believe you got there two minutes before the
18 police got there. So, I do not find your claim of
19 innocence credible whatsoever. Um, there was the footprint
20 that matched your footprint. Apparently, it was, I
21 believe, wiped down. Uh, there was, um, I guess they also
22 had a writing expert who couldn't, uh, um, rule you out as
23 the person who wrote it because the writing expert says
24 that there were similarities between your writing and what

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 13**

1 was written on the mirror. Um, and let's talk about your
2 now theory that your brother must have committed the
3 crime. You want us to believe, you want me to believe that
4 somehow your brother was a very violent guy and because
5 you shared some, you badmouth your wife three months
6 prior, that all of a sudden three months later, he decided
7 to just kill her. That just makes absolutely no sense to
8 me. I mean, it doesn't, with all due respect, it doesn't
9 even pass the laugh test. I mean, you, you, you want us to
10 rely on, um, the statement from McGill who, in my opinion,
11 has a clear motive to lie, um, because your brother was
12 sleeping with his wife, apparently had a relationship with
13 his wife. Uh, but, but more important, sir, more
14 importantly, what's, what convinces me the most is your
15 own statement. You tell us that your brother loves you,
16 protects you and always wants to play the protector, and
17 that's what made him capable of committing this crime to
18 protect you. That doesn't make any sense. If your brother
19 loves you that much and he's willing to kill, you're
20 telling me that's the same brother who's willing to let
21 his own little brother who he loves go to prison for life?
22 That does not make any sense. He was, uh, he was, um,
23 interviewed and he denied that. He denied killing your
24 wife. He spoke about how he made a promise to your mom,

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 14**

1 both of your moms to take care of you. And he said, and I
2 know you denied that you got any benefits from him, but he
3 said he sold drugs to help you out. And he said if he
4 committed the crime, he would never let you take the fall.
5 That just makes more sense to me than your version, sir.
6 And then there's the issue of domestic violence. I believe
7 that you are minimizing and you are, uh, engaging in
8 impression management, um, because I believe there was a
9 lot more domestic violence that went on and then you being
10 the perpetrator than you are, uh, portraying the whole
11 incident. Uh, I'm looking at, you know, the appellate
12 decision talks about in December, there were at least
13 three, I guess, three to five calls, right? On December
14 13th, there was a domestic violence call. Apparently, the
15 officers felt so unsafe that he kept your two firearms for
16 safekeeping because he said, or she said that both of you
17 seem unstable. The same month, apparently you got the guns
18 back. The same month, she came back and brought, the
19 victim came and took the gun and gave it to the officer,
20 brought it back to the police station because she was
21 afraid that you would use it on her. Um, the appellate
22 decision talks about the children seeing physical violence
23 at home. You described it as, um, she's out of control and
24 you were restraining her. And, you know, now, you're

25 **RODNEY MCNEAL P80613 9-3-2020 DECISION PAGE 15**

1 saying, well, I recognize restraining as also domestic
2 violence. With all due respect, sir, I don't think so. I
3 think if I had a spouse that is hitting me, I have a right
4 to hold him back. That's not the domestic, the classic
5 domestic violence case. You're portraying it like that,
6 but it seems to me that, that there's a whole lot more
7 going on than just you restraining her because she's out
8 of control. You describing it as just verbal abuse and
9 mental abuse when, sir, I think there's a whole lot more
10 going on than that. She is afraid enough to file a
11 restraining order on you. And on the restraining order,
12 according to the appellate decision, is allegations of
13 physical confrontations. So, it's not just mental and
14 verbal abuse, sir, and just restraining her because she's
15 out of control. Um, so why does this matter? Why does it
16 matter that you're not telling the truth in my mind? It
17 matters a whole lot, sir, because that's a huge trust
18 issue. If I don't trust you in this hearing room to tell
19 me the truth, I am not going to trust you outside to do
20 the right thing, sir. How can I trust you, um, that when
21 you say that you are rehabilitated and you're not going to
22 hurt another person, how can I trust you when I don't feel
23 you're, you're being honest with what's going on here? How
24 can you truly be rehabilitated when you haven't, um,

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1 addressed your true violence? Uh, you know, to me, I
2 always tell every inmate, rehabilitation built on lies are
3 no rehabilitation at all, sir. It also brings into
4 question, I mean, this is criminal thinking. This is
5 criminal mindset when you try to deceive and not take
6 responsibility for your own actions. These are the same
7 behavior that made you dangerous before that I believe
8 continues to make you dangerous now today, unless you can
9 honestly deal with what happened and your role in all of
10 this and do it honestly. And I believe that when you are
11 not honest, it, it also calls into question true remorse,
12 sir. How can you have true remorse when you're not even
13 honest about what happened? So, uh, I just find your
14 presentation, uh, troubling, um, and I believe it does
15 make you a very dangerous person still until you're ready
16 to be honest with what happened. And, and I just want to
17 note, and these are smaller points, but I just want to
18 note that your claim of innocence didn't make sense to me
19 today because the behavior didn't make sense to me. It
20 wasn't consistent with someone whose wife just, was just
21 brutally murdered. I mean, there's just no, there's no
22 emotions. And I know you tried to explain it all the away.
23 You're, you're more, uh, you know, you're filing false
24 insurance claims and I'm thinking if my spouse was

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1 murdered, the last thing I care about is an insurance
2 claim. And then, uh, you know, you, you start dating a few
3 months later. I, I don't know. I don't want to pass
4 judgment on that. I guess everybody heals or deals with,
5 uh, their issues in their own way. I, it just does not add
6 up. And I just think the circumstantial evidence is so
7 overwhelming that, you know, it doesn't make any sense who
8 else would commit this crime, sir. Uh, so I do not find
9 your claim of innocence, uh, credible, and I do not find
10 your theory that your brother must have committed the
11 crime plausible, and I wish you good luck. I think I would
12 advise that you start over and at this, this time, start
13 with the truth, sir. I wish you good luck.

14 **PRESIDING COMMISSIONER LONG:** Commissioner, would you
15 like to, uh, pass on your recommendations to go along with
16 your decision?

17 **DEPUTY COMMISSIONER LAM:** Well, my recommendation is
18 start with the truth. Uh, go back and perhaps read my
19 statements, um, and figure out which part of it, I mean,
20 truth resonates and which doesn't. Uh, but I will submit
21 to you, sir, that I do not believe you can be truly
22 rehabilitated until you have an honest talk with yourself
23 about what happened. But continue your program.

24 **PRESIDING COMMISSIONER LONG:** Do you have any

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1 specific self-help programming you'd like to see him
2 engage in?

3 **DEPUTY COMMISSIONER LAM:** Well, he's done a whole lot,
4 so if he can, I would tell him to go back and, and to the
5 criminal thinking modules and the denial management
6 modules.

7 **PRESIDING COMMISSIONER LONG:** Okay. Very good. Well,
8 I know this was a marathon hearing today. I want to thank
9 everybody for their patience and their participation, in
10 particular to all the victims' next of kin. Uh, it was a
11 very difficult process. Um, and we're, we're trying to
12 come up with the best decision under the law. And so, this
13 was an unusual case today. We'll go ahead and, uh, um,
14 adjourn the hearing. The time is 1519 hours.

15 **DEPUTY COMMISSIONER LAM:** Good luck, sir.

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17 **[RECESS]**

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1 **DEPUTY COMMISSIONER LAM:** We're back on record.

2 **PRESIDING COMMISSIONER LONG:** Okay. The time is 1548
3 hours. Everybody that was here previously has now returned
4 and, uh, uh, we will return, I'll turn it back over to
5 Commissioner Lam to finish her portion of the decision.

6 **DEPUTY COMMISSIONER LAM:** Thank you so much. And just
7 to confirm that this will be track two of Mr. McNeal's,
8 um, suitability hearing, P80613, and I apologize,
9 Commissioner, but I neglected to place on the record the
10 denial length. And, uh, Mr. McNeal, it is my belief that
11 the minimal time is all you need. I think you can get it
12 done. Uh, so it is a three-year denial. Um, and I wish you
13 good luck. I think you can do it. Uh, you may be advanced,
14 uh, sooner, um, through the administrative review process
15 and you also can petition to advance if you feel you've
16 addressed the concerns, uh, <inaudible> and we agree,
17 we'll, we can bring you back sooner, too. I don't know.
18 Anything else I need to place on the record, Commissioner?

19 **DEPUTY COMMISSIONER LAM:** Nope, that'll, that'll do. I
20 appreciate everybody for, uh, waiting around and getting
21 back on the, on the call so that we could, uh, we could
22 finish that portion. Thank you again, everybody.

23 **DEPUTY COMMISSIONER LAM:** Thank you. Thank you, Ms.
24 Sheppard.

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ADJOURNMENT

1
2 THIS TRANSCRIPT CONTAINS THE PROPOSED DECISION OF THE
3 BOARD OF PAROLE HEARINGS (BOARD) ANNOUNCED AT YOUR RECENT
4 BOARD HEARING AND IS PROVIDED TO YOU IN COMPLIANCE WITH
5 PENAL CODE SECTION 3041.5, SUBDIVISION (A) (4), AND
6 CALIFORNIA CODE OF REGULATIONS, TITLE 15, SECTION 2254.
7 THIS PROPOSED DECISION WILL BECOME FINAL WITHIN 120 DAYS
8 OF THE DATE OF THE HEARING AS REQUIRED BY PENAL CODE
9 SECTION 3041, SUBDIVISION (B), UNLESS THE BOARD NOTIFIES
10 YOU IN WRITING BEFORE THEN THAT THE PROPOSED DECISION HAS
11 BEEN MODIFIED, VACATED OR REFERRED TO THE FULL BOARD,
12 SITTING EN BANC, DUE TO AN ERROR OF LAW, ERROR OF FACT OR
13 NEW INFORMATION PURSUANT TO CALIFORNIA CODE OF
14 REGULATIONS, TITLE 15, SECTION 2042. THEREAFTER, THE
15 GOVERNOR HAS AUTHORITY TO REVIEW THE BOARD'S DECISION AND
16 AFFIRM, MODIFY, OR REVERSE IT PURSUANT TO PENAL CODE
17 SECTIONS 3041.1 AND 3041.2.

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I, Evangelyn Cambe, am a disinterested party, and have no interest in the outcome of the hearing. Further, I certify this transcript is a true, complete, and accurate record, to the best of my ability, of the recorded material provided for transcription of proceeding for:

In the matter of the Parole CDC Number: **P80613**
Consideration Hearing of:

RODNEY PATRICK MCNEAL

CALIFORNIA CORRECTIONAL INSTITUTION

TEHACHAPI, CALIFORNIA

09/03/2020

8:58 AM

Signed: *Evangelyn Cambe*

Transcribed by: Evangelyn Cambe

Conduit Transcriptions

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