

DIN: 89A7511
NYSID: REDACTED
NAME: MCCLARY,DAVID

INTERVIEW DATE: 11-13-2012
BOARD DATE: 11-12
INTERVIEW TYPE: INITIAL
OWNING FACILITY: ATTICA
SCHEDULED FACILITY: ATTICA

PRISON TIME: 234 MONTHS
PREVIOUS HOLD:
RECOMMENDATIONS: DA

EARNED ELIGIBILITY: INELIGIBLE
CERTIFICATE OF RELIEF:

DECISION: DENIED - HOLD FOR 24 MONTHS, NEXT APPEARANCE DATE: 11/2014

COMMENTS:

DECIDING BOARD MEMBER: THOMPSON,SALLY A
OTHER MEMBER(S): ELOVICH,LISA SHARKEY,EDWARD M

PAROLE IS DENIED. AFTER A CAREFUL REVIEW OF YOUR RECORD AND THIS INTERVIEW, IT IS THE DETERMINATION OF THIS PANEL THAT YOUR RELEASE AT THIS TIME IS INCOMPATIBLE WITH THE WELFARE AND SAFETY OF THE COMMUNITY. YOUR RELEASE WOULD SO DEPRECATE THE SERIOUS NATURE OF THE CRIME AS TO UNDERMINE RESPECT FOR THE LAW. THIS DECISION IS BASED ON THE FOLLOWING FACTORS: THIS BRUTAL INSTANT OFFENSE OF MURDER 2ND AND CPW 2ND INVOLVED YOU ACTING IN CONCERT WITH YOUR CO-DEFENDANTS, EXHIBITING EXTREME VIOLENCE WHEN YOU ASSASSINATED A 22 YEAR OLD UNIFORMED POLICE OFFICER, EDWARD BYRNE, WHO WAS PROTECTING A WITNESS AND WAS POSTED IN A MARKED POLICE VEHICLE IN FRONT OF THE WITNESS'S HOME. P.O. BYRNE WAS SHOT IN THE HEAD BY YOU MULTIPLE TIME AT CLOSE RANGE CAUSING HIS DEMISE. YOUR ACTIONS CLEARLY DEMONSTRATED A CALLLOUS DISREGARD FOR THE SANCTITY OF HUMAN LIFE, IN THIS COLD-BLOODED, PREMEDITATED, UNPROVOKED MURDER. YOU'VE INCURRED NUMEROUS DISCIPLINARY INFRACTIONS. YOUR POSITIVE PROGRAMMING, EDUCATIONAL ACCOMPLISHMENTS, RISK TO THE COMMUNITY, NEEDS FOR A SUCCESSFUL REINTEGRATION, REHABILITATIVE EFFORTS AND REQUIRED STATUTORY FACTORS HAVE ALSO BEEN CONSIDERED. DURING THE INTERVIEW YOU SEVERELY MINIMIZED YOUR INVOLVEMENT AND YOU TOOK LITTLE RESPONSIBILITY FOR THIS SHOCKING CRIME WHICH AFFECTED NOT ONLY THE BYRNE FAMILY, BUT THE ENTIRE NATION. THERE IS SIGNIFICANT COMMUNITY OPPOSITION TO YOUR RELEASE. THIS HEINOUS CRIME CONTINUES TO BE AN IMMENSE PERSONAL TRAGEDY FOR THE BYRNE FAMILY, LAW ENFORCEMENT AND SOCIETY AT LARGE. ACCORDINGLY, DISCRETIONARY RELEASE IS NOT APPROPRIATE AT THIS TIME.