

Chapman, Mark D.

DIN# 81A3860

NYSID# 4651382Z

STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF PAROLE

Parole Board Hearing

In the Matter of

MARK D. CHAPMAN

DIN # 81-A-3860

NYSID # 4651382-Z

TYPE OF HEARING: Reappearance

LOCATION: Attica C.F.

Video-conferenced to

Rochester Parole Office

350 South Avenue

Rochester, NY 14620

DATE: September 7, 2010

BEFORE: COMMISSIONER GALLIVAN
COMMISSIONER LUDLOW

ALSO PRESENT: Jeffrey Helf, Facility Parole Officer II
Nancy Ostertag, Agency Program Aide

HEARING REPORTER: Michelle Nardecchia

Midtown Reporting Service (585) 325-2130

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1 BY COMMISSIONER GALLIVAN:

2 Q Good morning. Are you Mark Chapman?

3 A Yes, sir.

4 Q I'm Commissioner Gallivan; Commissioner Ludlow is also on
5 the Panel today.

6 COMM. LUDLOW: Good morning, sir.

7 THE INMATE: Morning.

8 Q Now, this is a reappearance for you. You have been before
9 the Board before on a number of other occasions.

10 Looks like you continue to serve a life sentence, with
11 a twenty-year minimum; is that correct?

12 A Yes, sir.

13 Q You pled guilty to murder in the second degree?

14 A Yes, sir.

15 Q Like before, we make a record of what is being said; the
16 court reporter is on our side of the camera today. It is a
17 public record, consider that when you respond, it can be
18 used in any other proceeding; do you understand that?

19 A Yes, sir; yes, I do.

20 Q We will cover -- we might ask you some of the same questions
21 as in the past, but the law requires that we cover certain
22 areas. And while we have your entire file here, which
23 included some things that have been gone over in the past,
24 we would like to hear what you have to say today. So
25 consider that as well when we ask some of the same questions

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1 that you think might be repetitive, we do need to hear from
2 you before we can make a decision; do you understand?

3 A Of course, yes.

4 Q Now, I am paraphrasing what the record tells us. That back
5 in 1980, you traveled from Hawaii to New York with the
6 intent to kill John Lennon. You ultimately did just that,
7 you shot and killed him and shortly after you were taken
8 into custody by NYPD; is that correct?

9 A That's correct.

10 Q That is the short version. What do you have to say about
11 it?

12 A I made a horrible decision to end another human being's
13 life, for reasons of selfishness; and that was my decision
14 at that time.

15 Q Well, what do you mean, reasons of selfishness? Why would
16 you do this?

17 A I felt that by killing John Lennon I would become somebody,
18 and instead of that I became a murderer and murderers are
19 not somebodies.

20 Q Why did you pick him?

21 A I had a list of people and he was at the top of the list,
22 and he seemed more accessible to me. I found out what
23 building he was at and went to the building, that type of
24 thing; it wasn't quite as cloistered as some of the other
25 people might have been and I chose him, the top of the list.

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1 COMM. LUDLOW: Who else was on the list?

2 THE INMATE: I was going through that in my mind the
3 other day; I knew you would probably ask that. Johnny
4 Carson was one of them, Elizabeth Taylor; I lose memory of
5 perhaps the other two.

6 COMM. LUDLOW: Any particular reason for those two,
7 sir, after Lennon, in the order of priority?

8 THE INMATE: They are famous; that was it.

9 COMM. LUDLOW: So, it could have been --

10 THE INMATE: It wasn't about them necessarily, it was
11 just about me; it was all about me at that time.

12 COMM. LUDLOW: You apparently had a drive to achieve
13 instant notoriety; was that it?

14 THE INMATE: Yes.

15 COMM. LUDLOW: Regardless of who the victim might have
16 been?

17 THE INMATE: Yes; that's correct. If it wasn't Lennon,
18 it could have been someone else.

19 COMM. LUDLOW: Had you been treated, as to [REDACTED]
20 [REDACTED] prior to the assassination of Mr. Lennon?

21 THE INMATE: Yes.

22 COMM. LUDLOW: Did you have a diagnosis back then?

23 THE INMATE: [REDACTED] I guess it was
24 called; [REDACTED] I was in the [REDACTED]

25 [REDACTED] This act of killing John

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1 Lennon was based on a foundation of [REDACTED] of
2 just wanting something to change; so I went from one end of
3 the spectrum to the other. Instead of taking my life, I
4 took somebody else's; which was unfortunate.

5 COMM. LUDLOW: Back in December of '80, were you on any

6 [REDACTED]?

7 THE INMATE: The [REDACTED]
8 [REDACTED] I believe; nothing other than that.

9 COMM. LUDLOW: Was that intended for your [REDACTED]

10 [REDACTED]

11 THE INMATE: [REDACTED],

12 [REDACTED]

13 COMM. LUDLOW: Thank you, sir.

14 Thank you, Commissioner; sorry for the interruption.

15 BY COMMISSIONER GALLIVAN CONTINUED:

16 Q For how long did you plan this out?

17 A About three months.

18 Q You did it for yourself, to make yourself famous.

19 Did you ever think of the consequences of what might
20 happen to you, did you think you would get away with it?

21 A I was sure of getting away with it, but not fleeing, that
22 type of thing. I knew it was possible, he was accessible; I
23 only thought about one consequence at that time. As I said,
24 it was an act of utter selfishness, I thought about me and
25 what I would become. I wasn't thinking clearly, I wasn't

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- 1 altogether. But at the same time, I knew that if I did
2 this, this was going to happen, I had that down pat in my
3 head. That was about it, I didn't think about anybody else.
- 4 Q If you did this, you knew this would happen. What would
5 happen?
- 6 A As you said, instant notoriety, fame. I thought there was a
7 chance I might be shot; I wasn't really too concerned about
8 that.
- 9 Q Did you think about what would happen to you, did you think
10 you would get away with it and not go to prison?
- 11 A No, no. I knew prison was there. In fact, I didn't know if
12 there was a death penalty in New York State, at the time. I
13 remember my lawyer was talking to me about that. He said,
14 well, in your case, Mark, I don't think it would be
15 applicable. I figured on prison, I believe that would
16 probably be correct.
- 17 Q This is your only crime of conviction; is that correct?
- 18 A Yes, sir.
- 19 Q And you have been in prison how long now?
- 20 A Going on thirty years in December.
- 21 Q Have you been in protective custody throughout?
- 22 A For the first ten years I was in what they call involuntary
23 protective custody. After ten years they opened up the
24 family reunion program, for me and my wife to participate
25 in. But the condition was to sign into protective custody

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1 because they opened up the program to only inmates in
2 protective custody; so I did that and that was about twenty
3 years ago.

4 Q I know that overall it is has limited your programing.
5 Let's focus a little bit -- while we do have a record of all
6 the things you have participated in since being
7 incarcerated, talk about what you do with your time over the
8 past two years, since the last hearing?

9 A Basically the same from my last appearance. I am a porter,
10 what they call a porter here in the special housing unit. I
11 am also a law library clerk. I am a certified law library
12 clerk out of Albany. I help inmates with their law library
13 work in the special housing unit only. I help with food
14 preparation, anything, mopping, sweeping; I work all day ,
15 long. That is basically my time there, as far as work goes.

16 Q And there are no misconduct reports since your last Board;
17 as a matter of fact, since, it looks like 1994; is that
18 correct?

19 A I believe so.

20 Q Now, you mentioned you were married; how long have you been
21 married for?

22 A I have been since June 2, 1979.

23 Q Your wife has stayed with you throughout?

24 A Yes, sir.

25 Q Where does she live?

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1 A In Hawaii.

2 Q Do you have any children?

3 A No, sir.

4 Q If you are released, you are still proposing residence with
5 a friend in Naples, New York?

6 A That has changed. There is a man who has offered to help me
7 in any way possible, I believe I spoke with my parole
8 officer about that and he is willing to do anything for me.

9 Q Who is that?

10 A He is a judge, he is like a village judge, and he has quite
11 a career in corrections and in criminal justice and I have
12 known him for a long time, over twenty years, twenty-five
13 years. And he has stepped forward, if you need something
14 let me know. If you need a job and finding a place to stay,
15 I will help you out. He wanted to write me a letter; I
16 don't do that, I don't ask people to write letters for me.
17 I don't know if he wrote a letter to me or not. He asked to
18 write a letter on my behalf.

19 Q No. There is one individual who has corresponded in
20 writing, a letter on your behalf. However, I don't see --
21 and that was written back -- that looks like it goes back to
22 1999. There appears to be no other letters written on your
23 behalf, since your last Parole Board appearance. We have
24 some in the past that we will consider as well.

25 I know that you say -- where is this judge, is he

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1 local?

2 A I think he is waiting on me to ask him. I think he is
3 waiting on me to ask him to write the letter. I told my
4 wife I will not do that, I will not ask that he write a
5 letter on my behalf. It is something I decided not to do.

6 Q When is the last time you talked to him?

7 A I don't know the village he is in. He talks to my wife
8 frequently. I haven't spoken to him recently, because he is
9 formally with the criminal justice system and we are not
10 allowed to do that. I have not spoken to him, but he is on
11 my side and let it be known, and I am sure he would write a
12 letter if one was requested, particularly by you.

13 Q Let's go back to this for a minute. You say that he has
14 offered to help you?

15 A Yes.

16 Q When is the last time that he spoke with you or your wife?

17 A Probably my wife very recently, I would say within the last
18 month or so.

19 Q Is he located within New York State?

20 A Yes, sir; he is right here, he is within ten miles. I
21 believe he lives in Alexander.

22 Q Within ten miles of Attica?

23 A Yes, sir.

24 Q And you say that he has said that he would help you with a
25 job?

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1 A He has told my wife this and does he want me to have him
2 write a letter, that type of thing; he wants to help.

3 Q If you were to be released, how would you support yourself?

4 A I would find a job. I would do anything, anything
5 practical. This last fellow had found me a job, found a
6 farmer that was willing to give me a job on the farm. I
7 said, sure, thank you. So, I would do anything.

8 Q The law, of course, guides our decision and sets the
9 standards for release.

10 One of the standards is essentially a community
11 standard and how the community looks at it.

12 A Of course.

13 Q I am not even paraphrasing it, I'm putting it into different
14 words.

15 Certainly you must recognize that this has affected a
16 lot of people?

17 A Yes.

18 Q And there is some interest with this.

19 If you were a member out in the community, what would
20 you think; could you accept your release into the community,
21 if you put yourself in the community's shoes?

22 A Prior to my incarceration and being who I was at the time
23 before this happened, before the confusion, it's -- to be
24 honest with you, I would probably say, leave him in there;
25 that is probably what my thinking would be. But now that I

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1 have done time in prison and have seen people that come to
2 prison are still people, my thinking has changed along those
3 lines. I'm not thinking about myself, speaking about myself
4 personally, I am thinking generally how thinking has
5 changed. You got the top judge of New York State came to
6 prison and changed his view; he wrote a book about it and
7 wrote some very important things, about how you change your
8 mind when you see both sides. But the average person on the
9 street would probably say, leave him in and I understand
10 that. I can understand the feelings.

11 COMM. GALLIVAN: Commissioner Ludlow?

12 COMM. LUDLOW: Mr. Chapman, would you say that to date,
13 you have achieved the notoriety that you originally sought
14 back in 1980?

15 THE INMATE: Unfortunately, yes. I wish I was in here
16 for something else, but that is the case; that happened.
17 Like I said, murderers are not somebodies, they are big
18 nobodies and that is something that happened to me. This is
19 not anything to be proud of. Somebodies are people that
20 worked for their fame or if you are a scientist, you work
21 for something, you achieved for something special. Anybody
22 could have done this. People come up and treat me a little
23 bit different and maybe say a few things about the case.
24 And I say, anybody could have done this, I am not anybody
25 special just for pulling out a gun. I try to keep that

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1 perspective. I don't consider myself famous, I consider
2 myself infamous and I have to deal with that.

3 COMM. LUDLOW: Are you receiving any [REDACTED]
4 [REDACTED] currently or in the recent past?

5 THE INMATE: No, sir; it has been a long time.

6 COMM. LUDLOW: Are you on [REDACTED]
7 [REDACTED]

8 THE INMATE: No, sir, none.

9 COMM. LUDLOW: Your physical health; how is that, sir?

10 THE INMATE: It is great, no problems.

11 COMM. LUDLOW: You are now fifty-five years old,
12 correct?

13 THE INMATE: Yes, sir.

14 COMM. LUDLOW: Still a young man at fifty-five.

15 THE INMATE: Thank you.

16 COMM. LUDLOW: At the time in 1980, you were a resident
17 of Hawaii?

18 THE INMATE: Yes.

19 COMM. LUDLOW: Is that correct, sir?

20 THE INMATE: Yes, sir.

21 COMM. LUDLOW: Specifically Honolulu, correct?

22 THE INMATE: Yes.

23 COMM. LUDLOW: What was your occupation back then?

24 THE INMATE: I worked at a hospital for a number of
25 years. The same hospital that had given me [REDACTED]

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1 [REDACTED] I got a job there, first as housekeeping and
2 I became a printer at the hospital. And then I began to
3 experience depression, I was drinking, wasn't seeking any
4 help until the very end. So I left that job and became a
5 security guard at a high-rise condominium in Waikiki, and
6 spent all night up, which was not a good thing and just
7 began getting into darker and darker places and worse and
8 worse thoughts and began [REDACTED] and eventually, of
9 course, quit that job with this thought in mind.

10 COMM. LUDLOW: At that point in time, you were
11 twenty-five years old, correct.

12 THE INMATE: Yes, sir.

13 COMM. LUDLOW: Did you have a weapon in your capacity
14 as a security guard?

15 THE INMATE: Not at that job, no.

16 COMM. LUDLOW: And the weapon which you used to
17 assassinate Mr. Lennon, where did you obtain that weapon?

18 THE INMATE: It was a gun shop, probably in the
19 outskirts of Honolulu, [REDACTED], I think it was.

20 At that time the law was lax and I lied on the form
21 saying I had not received any mental treatment. They sold
22 it to me right then and there; you cannot do that anymore.

23 COMM. LUDLOW: Did you obtain the rounds, the
24 ammunition, from that same store?

25 THE INMATE: No. I must have bought rounds there, but

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1 when I found out -- something to do with the plane. I got
2 my rounds in Atlanta, Georgia. I flew down to Atlanta for
3 that specific reason; I knew a friend who had been there for
4 years, he was a police officer, under the guise of I need
5 protection in New York, I need some bullets. You could not
6 buy bullets in New York, that was that at the time; I called
7 there. So, I had gone to New York from Hawaii with an
8 unloaded weapon; that is what it is. Don't bring a loaded
9 weapon on the plane and just put it in the baggage. When I
10 got there, I thought I could buy bullets; I called up to a
11 gun shop. They said, no way; you need to be a police
12 officer or have the proper credentials. I flew down to
13 Atlanta and got bullets from my former police officer friend
14 and flew back up with them; and that is how I got the
15 bullets.

16 COMM. LUDLOW: Were they a particular kind of rounds or
17 ammunition or run-of-the-mill type of ammunition?

18 THE INMATE: They were power packed, they were hollow
19 points, they were special, powerful .38-caliber bullets. He
20 said, this is what you need.

21 COMM. LUDLOW: You had a friend in Georgia that
22 assisted you in the Atlanta area; did that person question
23 why you needed that particular kind of ammunition?

24 THE INMATE: No. He didn't know anything about this
25 and I made that clear after my arrest. But he did -- I

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1 don't know if he questioned -- I came up with a reason
2 before he even questioned me, and like I said earlier, I'm
3 going to need some protection in New York, it is the
4 streets, that type of thing. He didn't think a thing about
5 it and gave me five or six bullets.

6 COMM. LUDLOW: Did he ask why you were going to New
7 York at all?

8 THE INMATE: No, I don't think so; I don't remember if
9 he did.

10 COMM. LUDLOW: Had you made a prior trip to New York
11 City?

12 THE INMATE: Yes, I had.

13 COMM. LUDLOW: And when was that, sir?

14 THE INMATE: Either October or November, early
15 November, can't quite pin down the date. But I had gone
16 there for the same reason and had flown back. So it was the
17 second trip.

18 COMM. LUDLOW: You said October or November; was that
19 1980 as well?

20 THE INMATE: Yes, sir.

21 COMM. LUDLOW: What caused you -- you said for the same
22 purpose.

23 You intended to assassinate Mr. Lennon one or two
24 months prior to the actual crime; is that true?

25 THE INMATE: That's true.

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1 COMM. LUDLOW: What caused you to change your mind, at
2 that point in time?

3 THE INMATE: Well, I saw a movie, I can't remember the
4 title of it, it was an important movie and I came out of the
5 movie theater and called my wife and for the first time I
6 told her. I told her what I was going to do and I was
7 crying. And I said, I thought about life and thought about
8 my grandmother, and I told her, I said, your love has saved
9 me; I'm coming home. And she said, just come home. Please,
10 come home. So at that point, I had abandoned all the plans
11 and was going to throw the gun in the river and that type of
12 thing and come back and everything was going to be okay. Of
13 course, that didn't happen.

14 COMM. LUDLOW: What prompted you to make the second
15 trip; the same purpose you stated earlier?

16 THE INMATE: Yes, sir. A couple weeks later it started
17 to build in me again, that emptiness, that desire to become
18 somebody and I couldn't stop it. I lied to my wife and told
19 her I'm going back there again and gonna get it together and
20 write a book, write books or something, just to try to find
21 myself; and she believed me wholeheartedly, as a good wife.
22 And I left on December 6th and on December 8th I committed
23 the murder.

24 COMM. LUDLOW: You flew twice to New York City, you
25 also made a side trip, you said, to the Atlanta area. This

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1 must have cost a fair amount of money, from Honolulu to
2 Greater New York City and a side trip to Atlanta; who paid
3 these expenses back then?

4 THE INMATE: We borrowed money from her father, \$5,000;
5 and I sold some art, some artworks I remember sold, to
6 finance this.

7 COMM. LUDLOW: And did your father-in-law inquire what
8 the purpose was back then for a \$5,000 loan?

9 THE INMATE: I think, sir, originally we got the money
10 from him to purchase a piece of art and which I sold to get
11 the money and that is how it happened. I told him we were
12 buying art and we did, which was earlier; and I sold the
13 artwork for the money to commit the crime.

14 COMM. LUDLOW: Were there any third parties who
15 assisted you with the knowledge that you intended to
16 assassinate John Lennon?

17 THE INMATE: Zero, nobody.

18 COMM. LUDLOW: Thank you, sir.

19 Thank you, Commissioner Gallivan.

20 BY COMMISSIONER GALLIVAN CONTINUED:

21 Q Mr. Chapman, we have covered the factors that the law
22 requires us to cover. Is there anything else that you think
23 is relevant, that you would like to bring up for us to
24 consider today?

25 A I just want to say that my life has really changed because

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1 of one thing, that was not the realization of why I
2 committed my crime or the responsibility of it; which I do
3 admit to, the responsibility. But my life has really
4 changed and I'm thankful for my prison experience, because
5 without it, I wouldn't have found it.

6 My life has changed because of Jesus Christ; I know
7 him, he is with me, he is with me now, he is helping me
8 speak to you now. Without him I am nothing, I would have
9 been an even bigger nobody. I just want to thank him right
10 now for being with me and helping me; that is what has
11 gotten me through this and to me everything else is
12 secondary. Once finding him, you find everything. And
13 although I am willing to pay for this crime here in prison
14 for however long it takes, forever; there is something
15 actually more important than that, something more important
16 than me getting out and that is me knowing him and finding
17 his forgiveness in my life; that is extremely important to
18 me, the number one thing in my life.

19 That is what changed me, not realizations of what I
20 have done or like I said, responsibility, but him, he has
21 changed me and he has been with me through this time.

22 COMM. GALLIVAN: Okay, sir. We will consider what you
23 have had to say today, as well as what is required by law.
24 When we come to a decision, we will get it to you in
25 writing.

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1 THE INMATE: Thank you very much for your time, I
2 appreciate it.

3 COMM. GALLIVAN: You are welcome.

4 THE INMATE: And the other Commissioner too, I
5 appreciate it.

6 COMM. LUDLOW: Thank you, sir.

7 HEARING CONCLUDED

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DECISION

Denied, hold twenty-four months; next appearance August, of 2012.

After a careful review of your record, a personal interview and deliberation, parole is denied.

Your institutional record and release plans, albeit uncertain, are noted. This Panel remains concerned, however, about the disregard you showed for the norms of our society and the sanctity of human life, when after careful planning, you traveled to New York for the sole purpose of killing John Lennon. This premeditated, senseless and selfish act of tragic consequence, when considered with required and relevant factors, leads to the conclusion that your discretionary release remains inappropriate at this time and incompatible with the welfare of the community. To hold otherwise, would so deprecate the seriousness of your crime, as to undermine respect for the law.

(All Commissioners concur.)

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1 CERTIFICATION

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I, Michelle M. Nardecchia, Court Reporter and Notary Public in
and for the State of New York, do hereby certify that I attended
the foregoing proceedings, took stenographic notes of the same,
that the foregoing, consisting of 21 pages, is a true and correct
copy of same and the whole thereof.

Dated: September 10th, 2010

Michelle M. Nardecchia, Court Reporter