

Parole setting free long-term inmates

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BURNSVILLE - The sweetness of Betty Norton Young's mountain accent does little to reveal the tragedy she has endured for 30 years.

It was June 12, 1977, when Young lost her husband and the father of their 12-year-old son. Tommy Norton was shot to death in a robbery by Phillip Eugene Turpin, an 18-year-old soldier listed by the military as AWOL.

North Carolina released Turpin on parole in July, a shock to Young and her son Harley Norton, though hardly unique.

Two other people sentenced to life for murder and claiming residence in one of 16 Western North Carolina counties were released on parole this year under sentencing guidelines existing before 1994, according to the N.C. Department of Correction.

A Citizen-Times analysis of state inmate data from 1995 through 2006 also found:

* 43 inmates convicted of first- or second-degree murder in WNC were released on parole during that period. Ten had been sentenced to life.

* 216 inmates given life sentences have been paroled statewide during that span.

* 63 inmates who claim a WNC residence and have been convicted of murder or rape will get a parole hearing this year. Of those, 49 were sentenced to life in prison.

* 112 inmates who claim a WNC residence and have been convicted of murder or rape are eligible for parole under the old guidelines.

Individualized process

Whether those inmates are paroled is subject to a highly individualized process that takes into account a number of factors, said Patsy Joiner, administrator of the N.C. Post-Release Supervision and Parole Commission.

"Every case is different," she said. Giving a percentage on how many of those might be paroled "would just be throwing up numbers in the air."

Betty Young said she thought Turpin's freedom would be over the day they walked out of a Madison County courtroom 30 years ago.

"I went home and told him, 'Son, it's just me and you. We're going to have to get through this ourselves,'" she said. "You don't ever get though anything like that."

The terms of Turpin's parole allow him to live with family in California.

Young said she contacted the Yancey County Sheriff's Office two weeks ago after getting a threatening phone message that deputies traced to a pay phone in San Diego.

"I will be seeing you," a man's voice left on her answering machine said before hanging up.

Sentencing law

North Carolina grew to rely on the use of parole in the 1980s as the state faced severe problems with overcrowding and lawsuits from dozens of families of inmates claiming cruel and unusual punishment.

Sixteen other states had already set caps on their inmate populations, and the federal government threatened to intervene in North Carolina, said James Markham, an associate professor with the School of Government at UNC Chapel Hill.

Markham said some convicted felons were serving as little as 20 percent of their sentences, and from 1986 to 1991 average time served dropped by 23 percent.

The state in 1985 created a committee to address the growing problem, which resulted in the current sentencing structure. It forbids parole for any inmate convicted after Oct. 1, 1994.

Under the structure today, a person is sentenced to a minimum length of incarceration and a maximum length.

That allows the state to better manage a growing prison population, Markham said.

"It's a much better process," he said. "The North Carolina sentencing commission is accurately viewed as a model for other states."

The state has more than 39,000 inmates, a number that is growing by about 1,000 inmates a year, according to the Department of Correction.

Weighing different cases

Even with the changes, parole still has its place, particularly with crimes that don't involve personal injury, said Sen. John Snow, a member of the state's sentencing and policy advisory commission.

"When you talk about a crime against a person, you have a lot of emotion involved," said Snow, D-Cherokee. "It's different when you look at parole in those cases."

As a young Jackson County prosecutor, Snow said his first big case was the 1975 murder of three men who had their throats slit and were dumped into the Tuckasegee River.

The men convicted in that crime, William Ray Hyatt and Lloyd Green, are eligible again for a parole review this year after being sentenced to life. Both lived in Jackson County.

Snow, also the co-chairman of the Senate's justice and public safety appropriations committee, said family members of the slain men always send a letter to him urging him to write to the parole board to discourage Hyatt's and Green's release when they are up for review.

"It was a terrible case," he said. "I don't think they deserve parole."

Family tragedy

The Norton family did not get a chance to send a letter urging that Turpin not be released. Harley Norton learned of the release from a prison guard.

In a letter to the family explaining what happened, the Department of Correction said their contact information had not been updated.

Tommy Norton was not the only man killed that day in 1977. Benny Hudgins, Norton's business partner, was shot dead by another man involved in the robbery plot.

Norton and Hudgins had been on their way to a fishing spot along the French Broad River when they were flagged down by Turpin's 13-year-old brother and asked to help repair flat tires on his mother's car at a campsite off Big Laurel Rock Quarry Road, according to court testimony.

Both were robbed and then shot.

Turpin and Lonzo Crews Jr., of Tennessee, were found guilty of first-degree murder. Each was sentenced to two life terms in prison.

Turpin and Crews, 21 at the time, were absent without leave from Army duty at Fort Campbell, Ky. They were joined in Madison County by Turpin's mother, two younger brothers and 15-year-old sister, who was in a relationship with Crews.

Lloyd Romero said in court testimony that Turpin, his older brother, shot Norton twice, the second time at point-blank range while the man was on the ground.

Crews remains in prison.

Jury foreman Harley Jolley thought the men would be put away for life after the sentence was read. The former Mars Hill College history professor said the jury deliberated for almost two weeks before deciding on a sentence. The jury did not reach a unanimous vote, required for the death penalty, he said.

He said he was disappointed when he heard that Turpin had been released from prison and felt even worse for Betty Young.

"She's a victim in the fullest sense of the word," Jolley said. "Here are two local fellows out to go fishing. They wind up murdered on the bank of a river."

WHO THEY ARE

Other WNC inmates paroled this past year:

* Clinton Rondale Kirkley, convicted Sept. 22, 1981, for first-degree murder after being found guilty of killing two people in Mecklenburg County and wounding two others during a shooting spree.

He was released June 14 and is listed as a Buncombe County resident.

Kirkley, who was a freelance bricklayer, first received the death sentence from a Mecklenburg jury, which was later downgraded to a double life sentence in 1983, according to the N.C. Department of Correction.

* Otis Jermaine Wells, convicted April 8, 1991 for second-degree murder and sentenced to life after pleading guilty to gunning down Bruce Sullivan Jr., 21, at Lee Walker Heights Apartments and wounding a bystander.

He was released Sept. 28, 2006.

Witnesses said Sullivan was shot in the back as he attempted to evade Wells.

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Abstract (Document Summary)

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