

Board of Parole Proceedings
PO Box 4036
Sacramento, CA 95812-4036

Subject: **Inmate Raul Higgins P29949**
Prison: California State Prison — San Quentin
Parole Hearing Date: May 30, 2019 8:30 AM

Attn: Pre-Proceeding Correspondence

April 25, 2019

Dear Parole Board Members:

My name is Stephen Bolger, I am 29 years old and I am the fourth child of Carolyn Marie Bolger. This is now the third time I am submitting a statement to the State of California not only in the 20 years since my mother was murdered, but in the 7 years since these parole hearings have begun. I am finding it quite difficult to put into words the deep sadness I must once again relive as well as the frustration with the system, which allows an admitted and convicted murderer to continually and repeatedly work the system, by means of applying for parole and force us to waste our time, money and emotional energy in order to ensure justice is served and this evil man, lives out his sentence to its fullest. I appreciate the time I am allowed to speak and the gravity of the decision this board faces. I understand that you all must make an informed decision based off of facts and not emotional persuasions, but I would like to outline the ways this man has gone through life using manipulation and lies in order to get what he wants for fear that he is using these same methods in order to get a reduced sentence and slip through the cracks of this process.

This man murdered my mother. With his bare hands. He strangled her until she suffocated and died. Her eyes were red with blood when my older brother had to find her laying in a pool of her own blood hours after her death. What a horrible way to die, gasping for breath knowing these are your last moments and you are leaving five children behind to fend for themselves after you worked your entire life to protect them from the harshness of a world that does not care about them. The term murder, murder. It's hard to say. Put yourself in our shoes. Every single time I explain to someone, whether it be a new friend or a significant other, or a person I have just met, or a coworker or an acquaintance, that is the word I have to say. My mom was murdered. I find myself at times trying to cover it up. I say "my mom was killed" or "she died when I was a kid" to avoid the shame and the stigma and the pity. It's a hard word to say out loud, especially when it's so personal. But this is what we are dealing with today and so I will use the term accordingly. We are dealing with the decision to release an admitted murderer, a murderer of a mother of five, back into society.

I would also like to further emphasize the monetary burden caused by the inmate to my family and to our community. Every time we are faced with the decision to be present as one of these hearings, though we fight tooth and nail, it is nearly unbearable. The pain of reliving this traumatic event never leaves us. As soon as we think enough time has elapsed to live our lives in a normal fashion and try to move passed and accept the pain of the past, it seems another letter is received informing us of an impending hearing which could potentially release the murderer of our mother. Forcing us once again to relive the pain and suffering our mom's murder and the pain of growing up without the love and support of our mother who can never be replaced. Now,

as to the monetary burden this man has incurred, which I am sure must be taken into consideration as our current prison system is overcrowded. Though it may cost money every day to keep this man behind bars, this is what our taxpayer dollars go to. Keeping murderers and rapists and evil men behind bars. If you want to release someone, release a nonviolent offender, but do not release this man. Please. We beg you. But more to the point, the monetary burden of this man has not been seen just by the state or the federal government for housing and feeding and imprisoning this man, it has been felt by my family directly, constantly and continually. We have all be left alone in this world and have been forced to pull ourselves up, painfully and individually, with no help from anyone because we never had anyone but each other, because of this man sitting here before you. Because of this man, my younger sister and I were put in the foster care and separated from each other for a time and from our family. Because of this man, my eldest brother and his wife spent tens of thousands of dollars in order to fight for sibling visitation rights in the state of Hawaii. They set a federal president in that state allowing future separated siblings to use our family as an example when fighting for visitation rights. During that fight, all of my older siblings spent days and thousands of dollars in order to fly out to see us and to be at court hearings. We have all spent thousands of dollars on years of therapy. All told, combined we have spent over 35 years in weekly therapy sessions. The ripples of this murder have been felt by us, every day, by the community, every day, and by the state for as long as we were in their care. It further emphasizes the impact of this crime and is a cost that should not be forgotten and should be another reminder of what releasing a murderer into a community and a state can do. If a financial relief is a determining factor, I would argue that it is no relief at all because my family pays for his actions whether or not he is behind bars.

Also I would like to touch on a criteria of this decision of this man no longer being a threat to society. It is not like, “hey, well he is a convicted felon now and cannot get a gun,” he did not need a gun. This man took a life with his hands. That in and of itself should be alarming to the board. To kill someone with your bare hands is very personal. To look into a victims eyes and watch them gasp for breath as they fight to live. It hurts me indescribably to think about these being my mother’s last moments. That his face was the last she ever saw.

And can we ask ourselves the question, “is this man a flight risk”? I would argue that yes he is. When he committed murder, what did he do? After he left my mom choking to death on the floor, what did he do? Did he turn himself in? Was he regretful? What did he do? He tried to kill himself so he would not have to deal with the consequences of his actions. That is proof of his flight risk. Rather than being punished for his actions, he would have rather died, it is the ultimate form of running away from your problems. If you’re dead, you cannot be convicted and you cannot go to jail. And not just any death. He chose to endanger even more people in order to avoid prosecution.

The inmate frequently spoke about his past victimization by his harsh upbringing as a cause for murdering my mother. Although, I empathize with him, first of all, imagine that, I empathize with this man. Although, I empathize with him, he is playing a victimization card. There is no excuse for a murder. We are talking about murder here. Not self-defense, not manslaughter. Murder. I would like to point out he is playing off of all of our feelings. Trying to make us feel

bad for him. "Oh yes, harsh upbringing, drug abuse. Make sense, no wonder this led him to be a murderer and a burden on society." No, he is not a victim, we are the victims. My mother was the victim. This man is the victimizer. The manipulator and the murderer. I do not see the inmate's past upbringing as any type of justification for the inmate's crime and is rather a justification for his mental incapability and mental illness. His inability to accept that what he did is unforgivable and disgusting and to instead blame it on his victimization as child. I personally do not even believe he actually thinks he is a victim, but rather uses this as a tool to play on our empathy in order to manipulate us into feeling bad for him. If you want an example of what a life in foster care, rife with physical abuse and lack of any support from a mother or father for years will do to a person, look no further than our family. We sit here before you today, college graduates, proud contributing members of society, well-adjusted mother's and father's, husband and wives, fully employed and united in love. Though we have our flaws and are far from perfect, none of us turned out to be mentally unstable murderers, despite the cards being stacked against us. So though trauma is a tempting argument to make, it is not an excuse nor even note-worthy. Life is difficult for everyone and it is this man's inability to cope with difficulty and his mental instability that led him down the path he chose.

Now, this man has conflicting accounts of when he felt remorse. We have heard "I was remorseful as soon as I did it," we have also heard "I was remorseful years later after therapy," also, "I did not understand until the last parole hearing and now I am remorseful." In one aspect, you can look at this as him getting the therapy he needs and following the parole boards instruction, but I would argue this is once again a manipulation tactic. He is not remorseful because he is incapable of feeling remorse as a narcissist. Instead he is feeding us what he thinks

we want to hear. And again, I am not basing this off of emotional bias, though I very well may be, but simply what I have seen. What I have seen before and what I know this man is capable of. Why are we giving him or would we give him the benefit of the doubt? How is prison supposed to change a person so completely and utterly flawed? How can you believe the word of this man, pulled away from society, imprisoned for 20 years, away from women, for murder, over the word of contributing members of society and victims at his hand. And what would you do if you were in prison? Would you not do everything you could to get out. I know I would. I would do all of the programming and all of the rehabilitation and I would look you in the eyes, knowing you held my fate in your hands and I would lie strait to your face. So you have your own decision to make today as to who you want to believe. But if this man gets out and commits another, in the words of the previous parole board, “most heinous crime [they] had ever seen” than that is on you. Ask yourselves if you are prepared to live with knowing you released a convicted murderer back into society to commit another quote-unquote “life crime”. They say time heals all wounds, but time does not heal sickness and more often, time magnifies illness. My wounds are no-where near healed after 20 years I wonder how these years have been for this man’s diagnosed and untreated mental illness. How could he possibly be ready to be released back into society?

And you may think I am being bias because I am a victim of his and he murdered my mother, and maybe I am, but that does not make me wrong. I am a first-hand witness to what this man is capable of. If you recall my previous testimony of the months leading up to my mother’s murder, I remember it all. I wish I did not, but this event is seared into my mind. It changed my life in

ways that I cannot describe to this room or even to anyone. Sometimes I feel I remember this man more than I do my own mom because his face is burned into my memory and I have seen him now 3 times in 20 years. I have seen him more in the last 20 years than I have seen my own mother because she is dead by his hands. And that is a pain and a guilt and a shame that I have to live with. I remember the fear he instilled in my mom. I remember the fear he instilled in me and my older brother and my little sister. We all knew he was bad, but he somehow managed to slip through our defenses. Much like I fear he is currently doing now.

Not to further emphasize or harp on this man's well documented manipulative tendencies, there is a more important point here. Whether or not you feel he has been properly rehabilitated or you believe my family and my account that he is manipulating the court, there is now a documented credibility gap here between what the inmate has been telling the board in these last three hearings and a credibility gap cannot be overlooked. If he is potentially lying about one thing that we know about, how many other things is he lying about? There is no way to tell. This is a significant red flag and should be a warning sign that the board would be foolish to take lightly. My younger sister's impact statement will outline details of the hours leading up to our mother's murder, but I would also like to further elaborate. At his previous parole hearing, the inmate stated that he went over to our house on the day of our mother's murder because she had invited him over to talk and to help him fill out some forms for the custody of a child. Now, while that may be true that she at some point told him he would invite him over to help, it was certainly not that day. As my previous impact statement at that hearing said, my mother was surprised to see the inmate on this day. The inmate showed up at our house early in the morning when my sister

and I were getting ready for school and my mother was rushing to get ready for work. Now, I ask you, why would my mother invite this man over in the morning when she is getting ready for work? As far as meeting times go, first thing in the morning on a school day is not really the ideal meeting time for a single working mother with two children she has to take to school. The inmate is lying about this in order to downplay the gravity of the situation of just showing up uninvited to an ex-lovers house, which as I stated previously, he did on at least three occasions prior to this that I can personally remember, not including the morning he murdered her. The inmate is trying to make it seem as if he was supposed to be there, painting himself in a more flattering light and hoping my sister and I were too young to remember what actually happened. But as I said, I do remember. That day is scarred in my mind clear as if it happened yesterday. So, this man's credibility is shot.

And just to give you more background into what happened that day. We got in the inmates car and he drove us to school and I remember my mom waving goodbye to me as we drove away with a worried look on her face. And that is the last thing I remember about my mom, that is the last time I saw my mom. That afternoon, as was normal, my sister and I walked across the street to the rectory of the church where my mom worked and when we walked in the door, Susan, the woman who worked the front desk was surprised to see us. She told us our mother hadn't shown up to work that day and I immediately knew something was wrong. We had left her that morning as she was getting ready for work. That was the entire point of the inmate taking us to school that day. Is because my mom needed to get ready for work, which in hindsight, I believe was just an excuse to try and get the inmate away from our house. "I can't help you sign these papers or talk

to because I have to get ready for work and take my children to school” and the inmates response “oh I can take the kids to school” and my mother agreed because she was scared of this man, scared he showed up to her house, scared of what he might do if she said no go away. So, now there my sister and I are, scared and worried now that our mother never showed up to work and never called in to let them know she was not coming. Highly unusual especially for a mother who worked and needed three jobs to support herself and her children. My sister and I waited outside the rectory for hours for our mom. Becoming increasingly more worried, crying at times because we could sense something was wrong. I remember thinking “please god, just let her be ok. Please let her be ok”. But it was too late. At that point she had been dead for hours and was only then being discovered by our older brother. When my sister and I finally received the news our mother was dead that night, we were inconsolable screaming and crying. I was in denial. I knew something bad had happened, but I didn’t want to believe she had died and was gone. And I kept saying “no she’s alive. She’s hurt, but she’s alive, I won’t to go see her at the hospital” and I tried to run out the door and kicked and screamed and fought until I finally gave up and just cried. My sister and I cried for hours. We cried for so long, our Aunt Lucie had time to fly all the way up to Redding from Southern California and she stayed with us that night and cried with us in bed and consoled us as best she could. And that is just a single day in a lifetime of the indescribable pain and devastation this man has caused to myself and to my family and our community.

Finally, I would once again like to thank the board for their time and attention on behalf of myself and our entire family. I would also like to say that the justice system is in place for a

reason. I would like to respectfully and humbly request that you continue this murderer's sentence for as long as is possibly allowed based on the confines of the law and deny his parole for as long as you deem fit. However, I would also like to state that if you release this man today, you will be looking a roomful of orphans in the eyes and telling them that the justice system believes the life of a murderer is more important than the victim's. May whatever god you believe in, or just logic, guide you in your decision today. Thank you.

Sincerely,

Stephen Bolger