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April 21, 2015

Wallkill Correctional Facility
Attention: Supervising Offender Rehabilitation Facility
50 McKendrick Road
P.O. Box G
Wallkill, New York 12589-0286

Re: **Alan L. Jones** -- DIN 09B3636

Dear Members of the Parole Board:

It's my understanding that Alan Jones will be appearing before you for reconsideration in June. I am writing to express the strongest possible opposition against his parole, and I ask that you please deny his application.

As you are aware, Jones first became eligible for parole in 2013 after his conviction for Depraved Indifference Murder was reduced to Manslaughter in the Second Degree by the Appellate Division, Fourth Department. The reduction was based purely upon the issue of what constitutes "depraved indifference" as a matter of law. The court's decision was not meant to minimize the nature of his conduct.

Alan Jones killed his 11-year-old stepsister, Erin Maxwell, in a particularly cruel and sadistic manner. The overwhelming medical and forensic evidence showed that Jones fastened a rope around the little girl's neck and strangled her. As the Medical Examiner explained at trial, the strangulation occurred over a matter of minutes, not seconds. This was not a momentary lapse of judgment. Her death was not the result of a snap decision. He continued to hold the rope long after she lost consciousness. Erin's death was the foreseeable and inescapable result of his conduct.

Along with failing to show any remorse, Jones has refused to accept responsibility for his actions. Instead, he has engaged in one of the worst forms of victim blaming. Jones maintained that Erin had placed the rope around her own neck and had accidentally hanged herself while playing. To be clear, there is no way that Erin accidentally hanged herself. Jones's claim defies all of the established forensic and medical evidence.

There was no physical way for Erin to have hanged herself in the fashion that Jones described seeing. The fact that his story was a contrivance was revealed by the inconsistent and contradictory statements that he gave to investigators.

The sickening nature of his conduct was made worse by his absolute failure to show any type of concern for Erin's plight. When investigators first informed Jones that Erin had died, he showed absolutely no emotion. There was no sense of loss. When the investigators questioned him about his indifference, he simply responded, "You are going to die. I'm going to die. Everyone dies. It's no big deal."

Given the horrific nature of the crime, and given the tender age of the victim, it would be a travesty of justice for Jones to be paroled at this time. Seven years simply is not a sufficient punishment for callously taking the life of an 11-year old.

As you consider whether Jones should be able to resume his normal life, I ask you to consider what Erin missed these past seven years. She missed going to school and hanging out with friends. She missed having a first date, having a first love, and having a first kiss. She missed getting her license and learning to drive. She missed going to Senior Prom and graduating high school. She missed all of the experiences that makes our teenage years so memorable.

Erin will never know the excitement of going away to college, or starting her first job. She will never walk down the aisle and get married. She will never know the joy and wonder of holding her firstborn. Erin will never know these experiences because Alan Jones stole them from her.

While I doubt that Alan Jones will acknowledge his true conduct and express genuine remorse, even if he were to do so, he is undeserving of your mercy. While no amount of time will bring Erin back, seven years simply is not sufficient punishment.

If you were to parole Jones at this time, the Oswego County community would be devastated. The death of Erin Maxwell had a profound impact on our community, and his release at this time would significantly undermine the public's faith in the criminal justice system.

I anticipate that Jones's family members, including the victim's father, may write in support of his release. Please know that Erin's father and step-mother do not represent her interest.

Erin Maxwell was a neglected and abused child. Her family regularly locked her in her room, securing the door with multiple locks that latched from the outside. Quite literally, she was caged like an animal, as the bedroom door was buttressed by a screen door that had been reinforced with chicken wire. In fact, Erin was trapped in her room, unable to escape, when Jones killed her.

Erin's family failed to provide for her most basic needs, not because of poverty, but as a result of indifference and/or malice. School officials recount the young girl digging through the garbage looking for scraps of food to eat because she was always hungry. She went to school in clothes that were dirty and smelled of animal. (The parents had a variety of animals in the home, including over 70 cats, which urinated and defecated throughout the house.)

After Erin's death, her father and stepmother were convicted of multiple counts of Endangering the Welfare of a Child based upon the condition of the home and the manner in which they treated Erin. Even after their convictions, they refused to accept responsibility for their conduct. Instead, they chose to play the role of victims in the press, portraying themselves as scapegoats.

Erin's father and step-mother did not have her best interest at heart while she was alive, and if they reach out to you, I doubt that it will be to advocate on Erin's behalf. Unfortunately, my office is one of the few voices left to speak on behalf of Erin, and I oppose Alan Jones's release in the strongest possible way.

For the sake of justice, I ask that you please deny his reapplication for parole.

If you have any questions, or if you need any information, please contact my office.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gregory S. Oakes", written in a cursive style.

GREGORY S. OAKES
District Attorney