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## **Murder exposes flaws in parole system**

### **Months after arrest for battery, parolee kills ex-girlfriend, self**

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Tribune reporters

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Glenford Martinez was on parole for murder when he allegedly choked his former girlfriend, Mersaides McCauley, in November until she passed out. She filed charges, cut off ties with him and got an order of protection.

Under state law, authorities could have charged Martinez with violating his parole for the domestic-battery arrest and could have held him without bail pending his new case. But that didn't happen, and Martinez remained free.

Then on Sunday, 10 days before his trial on the battery charge, Martinez ambushed McCauley, 22, as she sat in her car with a friend outside a Near Northwest Side church. As she screamed for help, he shot her several times, killing her, police said. Within an hour, he killed himself.

The murder-suicide exposed a parole system dependent on a tenuous communication system between prosecutors and parole officers. What one parole officer may consider a serious offense worthy of taking a parolee off the streets, another may decide isn't.

On Thursday, following a story by the Tribune about the case, the Illinois attorney general's office said it would push for a new law to make an arrest for domestic battery, as well as five other new offenses, a cause to revoke parole automatically.

"You have someone who's a violent felon who commits another act of violence against a person," said Cara Smith, spokeswoman for Atty. Gen. Lisa Madigan. "Should that person be taken back into custody? We think yes."

McCauley's family members are also questioning what could have been done to keep Martinez away from the graduate student and why authorities didn't toss him back in jail after he allegedly attacked her.

"It sounds like there were too many things that slipped through the cracks," said her mother, Norma. "I didn't know my daughter was in danger."

Under current law, supervising parole officers have discretion over most cases in asking that parole be

revoked. Only parolees who commit felonies with a knife or firearm and those who fail to register as sex offenders must be issued arrest warrants. With jail overcrowding a persistent problem, a person's criminal history, the nature of the new violation and whether they're complying with most of the terms of their parole might weigh on whether a parolee is flagged for a violation.

The Cook County state's attorney's office said it tried in December and January to inform Martinez's parole officer of the arrest but got no response. An Illinois Department of Corrections spokesman said Thursday that the parole officer did contact the state's attorney's office in January. But the spokesman declined to comment further about that call or what decisions were made in the case, saying that every revocation is decided "case by case."

An estimated 9,000 parolees will have their parole revoked this fiscal year, said Derek Schnapp, spokesman for the IDOC. Two years ago, that number was more than 14,000, according to a state report.

"This was a deeply tragic incident," Schnapp said. "While the department works with 33,000 convicted felons on parole at any given time and while this is a very difficult challenge, this is also a highly unusual incident. We are taking a very serious look at any missed communication about the nature of the arrest."

The proposed law would require parolees be held on violation if they commit domestic battery, aggravated battery, stalking, aggravated stalking, violation of an order of protection or any offense that would require sex offender registration.

As McCauley's family members prepared to bury her Friday, they were trying to understand the relationship between her and Martinez. They were introduced through a mutual friend, and a shared interest in rehabbing old houses grew to dinners, movies and, at some point, dating, family said. McCauley, a devout Christian who recently started an MBA program at the Chicago campus of Argosy University, brought him to church and lent him her car when his broke down.

McCauley told family members little about Martinez, 35, but said she did not want to get serious because she was focused on her career and he was too old for her. In late summer 2007, Martinez told her he was on parole for a 1992 drug-related murder.

"Once she found out, I think she thought, 'What does it say about forgiveness in the Bible?' " her aunt Patrice Owens said in an interview at her home. "She thought that she couldn't judge him because he had a history."

Family members said Martinez appeared clean-cut and respectful on the handful of times that they saw him, but said he sometimes tried to push the relationship too far. In April 2007, Martinez showed up uninvited at her Glenwood home with flowers and a romantic card, her family said. By summer, Martinez was talking about marriage, but she wasn't interested, her aunt said. Then in November the two got into a fight outside his apartment in the 6300 block of South Ingleside Avenue in Chicago. McCauley told police that he choked her, though a police report indicated she was not injured and refused medical treatment.

But in a petition for an order of protection, McCauley wrote that he choked her until she lost consciousness.

Martinez told his attorney that the choking incident never happened.

"She threatened to put me back in jail," he wrote in a petition for his own order of protection, which was denied. "She was going to get me back."

Over the next few months, family members said, Martinez continued to call McCauley, asking her to

drop the charges, but she did not report the calls to police.

"Mersaides said, 'They aren't going to do anything,' " Owens said. "And she didn't want to provoke or aggravate him."

The Tribune made several attempts to talk to members of Martinez's family, but they declined.

Martinez's attorney, Frank Howard, said he spoke with his client last week and didn't notice anything out of the ordinary in his behavior.

Howard said his client was upset about what he said were false charges, saying he didn't touch McCauley in the Nov. 3 incident. But he said Martinez worried a conviction might affect his parole.

On Sunday, after an evening service at City Church in Chicago, McCauley and a friend, Steve Rodriguez, were headed to a restaurant in downtown Chicago to meet about 30 other church members, according to David Jordan Allen, a pastor at Family Christian Center in Munster, Ind.

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