

# Faces behind the Figures

Are we safer because they're behind bars?

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**Aldo Gallina, No. 205962**

*Crimes: Murder, 2<sup>nd</sup> degree & felony firearm*

*Sentences: 15-30 yrs +2 yrs*

*First Possible Release: Oct. 15, 2005*



Aldo Gallina, left, at 15 when he committed the crime. Today, he is 35.



*Aldo Gallina, who has no prior offenses and spent two years attending community college while on bond pending appeal, has a fine institutional record, an excellent therapy report and unshakable family support. While his co-defendant, with a similar history, was released in 2005, Gallina has been denied parole for a third time.*

On July 2, 1989, when Aldo Gallina was 15, he was out riding in Dearborn with other teenagers. They became involved in a confrontation with boys in another car that ended with the shooting death of 15-year-old Charles Schramek. While Gallina and his 16-year-old co-defendant, Eric Rode, both admitted firing the gun that Gallina pulled from the glove compartment, each denied having fired the fatal shot. The prosecution charged Gallina as an aider and abettor on the theory that Rode was the shooter. Gallina and Rode were tried together as adults and convicted of second-degree murder. Both were sentenced to serve 15-30 years in prison, plus an additional two for felony firearm.

Gallina, the second of six children, was raised in a stable, supportive family environment. He was an average student who played junior varsity football and had no juvenile record or discipline problems. The presentence investigator described him as “somewhat mild-mannered” and “soft-spoken.”

During the lengthy appeal process, Gallina and Rode both spent two years on bond in the community. Gallina lived with his family, worked full-time, and earned 33 credits with a major in Fire Science Technology at Henry Ford Community College. He was under no court supervision and had no police contact.

Gallina has also done well in prison, earning good work reports and few misconduct citations;



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his last “ticket” was in 1997 for being out of place. He served on work crews in the community and resides in a minimum-security prison camp. His family has visited him every two weeks throughout his incarceration, even while he was in a Virginia prison during a period of extreme prison overcrowding in Michigan.

Gallina was unable to gain entry into required assaultive offender therapy until August 2005, just two months before he completed his minimum sentence. Because Gallina scores “high probability for parole” on the parole board’s own guidelines, indicating he is a low risk for re-offending, the board must give “substantial and compelling reasons” for not releasing him. In September 2005, when it continued him for a year, it said:

*Although P[risoner] has done well at work, programs & behavior & expresses remorse, he needs to complete the Assaultive Offender Therapy he is just beginning. P needs to gain greater insight into his behavior/understanding & empathy re the harm he has caused*

Gallina completed the therapy, known as AOT, in June 2006. The therapist wrote: “He displayed full and complete acceptance of responsibility for his criminal behavior with significant evidence of remorse and empathy.” The therapist characterized Gallina’s support plan as “formidable” and found “significant evidence of the internalization of change.”

In October 2006, the parole board continued Gallina for a second year. It gave as its substantial and compelling reason:

*Despite completion of recommended therapy, the Parole Board is not assured that his risk of re-offending has been diminished. Prisoner is deemed an unwarranted risk to public safety. Unwilling to parole at this time.*

Gallina and his family were stunned. Eric Rode, who had been able to complete AOT on time, had been paroled when he first became eligible in November 2005. Ironically, the board’s notes regarding Rode are equally true of Gallina: good family support, good AOT, limited prior record, excellent staff and work reports, in community for two years on bond pending appeal, good parole plans, crime out of character, spent more than half his life in prison, has matured much in last 16 years.

Gallina was reconsidered in August 2007. The board denied him parole for a third time, saying:

*P[risoner] during PBI [parole board interview] was not able to show much remorse or empathy for the victim. P seems to be more concerned about getting a parole than understanding what he has done to the victim. In light of lack of insight, PB feels P still remains a risk to the public.*

In August 2008, Gallina, now 35, was considered yet again and again denied release. The reason given was his inability to explain his actions at the age of 15 to the satisfaction of the interviewing board member. In the meantime, Eric Rode completed a two-year period on parole and was discharged from any MDOC supervision in November 2007.

He was paroled on Nov. 5, 2009.