

Faces behind the Figures

Are we safer because they're behind bars?



Walter Givans, No. 239124

Crime: Voluntary manslaughter & felony firearm

Sentence: 10 – 15 years plus 2 years

First possible parole: Dec. 27, 2004

Although Walter Givans' parole guidelines score indicates a low risk of re-offending and the therapist who led his 44-week Assaultive Offender Program gave him high marks for having insight into the reasons for his offense, the parole board has denied him release three times.

Along with three brothers, Walter Givans was raised in a stable two-parent home in Detroit. Their life centered around a close-knit, extended family and their church. Although Givans began drinking, “hanging out” and carrying a gun when he was in his mid-teens, he graduated high school in 1990 and had no criminal record.

In 1994, Givans had a steady girlfriend and was working as a driver for a sanitation company. On January 6, the day before his 22nd birthday, Givans, along with his brother and cousin, went to the home of an acquaintance. An argument between Givans' brother and a young man there escalated into a fight, quickly joined by Givans and his cousin. During the fight, Givans fired a shot that struck the unarmed victim in the back, killing him.

Givans was charged with second-degree murder. He was released on bond and remained in the community until his sentencing eight months later. He returned to work and, in April, he married. In August, a jury convicted him of voluntary manslaughter and committing a felony with a firearm.

Because Givans had no prior record, sentencing guidelines recommended a minimum term between one and five years for the manslaughter. However, after listening to statements by the victim's family, the judge responded to the senselessness of the killing by sentencing Givans to the maximum allowed by law - 10 to 15 years plus a mandatory two years for the gun.

While in prison Givans has taken numerous classes to prepare himself for a successful return to the community. He has been in minimum custody, including various camps, since 1999.

Seven months prior to his first parole interview in September 2004, Givans had earned enough trust to be allowed to leave camp on gate pass to work in the prison store. He scores high probability for parole (low risk of re-offending) on the board's own guidelines. His last misconduct citation - for being “out of place” - was in 2001. Numerous letters in his file



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demonstrate strong family and community support. He has maintained close contact with his daughter who was born shortly after he entered prison.

Divorced from his first wife in 1996, Givans married his present wife, Katrina, in 2003. She has arranged for him to continue therapy while on parole. Upon his release, Givans plans to apply for the machinist training program at Focus Hope's Center for Advanced Technologies.

Givans voluntarily completed the Assaultive Offender Program in August 2003 with an "excellent" rating on every measure of his progress. In his final report the therapist wrote:

In all Mr. Givans' participation and presentations he appeared sincere and mature. He showed empathy for his victim and the victim's family members and demonstrated that he can identify his own feelings and control them. Mr. Givans identifies his major trigger...for the commission of this offense as his anger towards the victim and secondly the misplaced loyalty he had for his brother.

However, after a brief interview via teleconference in October 2004, a parole board member concluded:

Prisoner has not achieved adequate insight into his assaults [sic] behavior for the PB to have reasonable confidence that he will not re-offend.

The board continued Givans in prison for 12 months - until December 2005.

During his October 2005 parole hearing, the board member asked Givans if there was any incorrect information in his file. Givans responded truthfully that although his pre-sentence investigation report states that he shot his victim in the head, the medical examiner testified that a single shot struck the victim in the back. On the basis of this answer, the board continued Givans' incarceration for yet another year. It gave as its "substantial and compelling reason":

Prisoner's attempt to distinguish between shooting victim in the back rather than in the head does not impress the Parole Board, and, in fact would confirm that either victim was trying to get away from prisoner, or at least was not a threat to him.

Following both parole denials, Givans attempted to continue his program participation, but his counselor told him each time that he has "completed everything" and there is no more programming available for him in prison. Nevertheless, in 2006, the board continued Givans for a third year, citing as its "substantial and compelling reason":

Prisoner butt into another's business, and killed a man with an unregistered gun prisoner had for "protection." At parole board interview, prisoner showed he has made gains, but still cannot identify why he would fatally intrude in another's gripe. Prisoner needs greater insight to reduce risk.

Givans will have served his maximum sentence of 15 years plus two years for the gun in February 2009.