

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
REQUEST FOR EN BANC REVIEW
(Penal Code Section 3041.1)

ANTHONY WAITERS, AG-3250

Torture

CRIME

In 2007, Anthony Waiters, a football coach and youth mentor, participated in the torture of his neighbors' 16-year-old foster child over a year-long period. The victim's caregivers starved, shackled, and beat him, kept him out of school, and hid him from authorities. The crime partners prevented the victim from using the restroom, showering, and eating. Mr. Waiters struck the victim with his fists, a baseball bat, and boxing gloves, hit his head on a fireplace, tied a belt around the victim's neck, burned the victim's body with a heated metal baseball bat, cut the victim with a knife and poured bleach, salt, and butter in the wound, cut the victim's back with a cleaver, doused the victim in lighter fluid and lit his pants on fire, then laughed as the victim struggled to put out the fire. The victim escaped and, while still wearing a shackle on his ankle, ran for help.

STATEMENT OF REASONS

I acknowledge that Mr. Waiters has made efforts to improve himself in prison. He has participated in self-help programming, including anger management and a batterer's intervention program. Mr. Waiters earned four vocations and was praised by correctional staff for his positive attitude. I commend Mr. Waiters for taking these positive steps. However, I find that this case warrants the consideration of the full Board of Parole Hearings to determine whether Mr. Waiters can be safely released at this time.

I ask the Board to determine whether Mr. Waiters has sufficiently mitigated his risk factor for violent conduct. Mr. Waiters has been incarcerated for 13 years but continues to demonstrate profound deficits in insight into what led him to participate in an astonishingly inhumane crime, the ongoing torture of a vulnerable young victim. At his parole hearing and during his risk assessment, Mr. Waiters reported that he was bullied as a child and was experiencing personal family trauma and hardship at the time of the crime, but he failed to demonstrate an understanding of the internal processes that caused him to react to stress with such extreme and brutal antisocial conduct. Mr. Waiters also seemed to attempt to justify his conduct, stating that he was led to believe that the child was abusing his foster mother, and, "[o]ne of my triggers is any man putting hands on a woman. I normalized him being abused because of one time I walked into a punch meant for [the victim's mother]. She said he would

put hands on her and abuse her. I never saw him put hands on her." Mr. Waiters failed to explain how he could view a shackled and emaciated 16-year-old boy as a threat, or to demonstrate an understanding of the distorted thinking that led him to torture the victim as a form of punishment.

At his hearing, Mr. Waiters admitted that his crime was "callous" and "disgusting," and acknowledged feeling shame for his conduct. The Board concluded that Mr. Waiters did not minimize his actions, showed remorse, and accepted responsibility for his crime. These are encouraging signs of developing insight, but I ask the Board to assess whether his progress is sufficient to prevent him from engaging in misconduct in the future. I note that Mr. Waiters was a volunteer youth mentor and a youth football coach, and that prior to the life crime he appears to have applied to serve as a foster parent. In light of these factors, I ask the Board to assess whether additional parole conditions are required to ensure his safe release into the community.

CONCLUSION

For these reasons, I refer the decision to parole Mr. Waiters back to the Board for *en banc* consideration.

Decision Date:
July 23, 2022



GAVIN NEWSOM
Governor, State of California