

**BEFORE THE
OHIO ADULT PAROLE AUTHORITY**

**IN RE: ROBERT J. VAN HOOK, JR.
Chillicothe Correctional Institution, # A186-347**

Clemency Hearing: May 24, 2018

**APPENDIX TO APPLICATION FOR EXECUTIVE CLEMENCY VOL. II
Exhibits 55 - 72**

Submitted by:

DAVID C. STEBBINS
CAROL A. WRIGHT
ALLEN L. BOHNERT

Capital Habeas Unit
Federal Public Defender's Office
Southern District of Ohio
10 West Broad Street, Suite 1020
Columbus, OH 43215
(614) 469-2999
(614) 469-5999 (fax)
David_Stebbins@fd.org
Carol_Wright@fd.org
Allen_Bohnert@fd.org

RANDALL L. PORTER

Ohio Public Defender's Office
250 East Broad Street, Suite 1400
Columbus, Ohio 43215
(614) 466-5394
(614) 644-9972 (fax)
Randall.Porter@OPD.Ohio.gov

COUNSEL FOR ROBERT J. VAN HOOK, JR.

APPENDIX

Exhibits

- 1 Declaration of Tana Waller (Robert Van Hook's half-sister)
- 2 Report of Duncan Clark, M.D., Ph.D. and Supplemental Report
- 3 Report of Matthew Mendel, Ph.D.
- 4 University of Cincinnati Hospital Admission Record, Dec. 25, 1981
- 5 Court Report, Dr. Teresito Alquizola, Dec. 30, 1983
- 6 University of Cincinnati Hospital Emergency Record, Feb. 12,
- 7 1984 Psychiatric Progress Notes of B. Hayes, Ph.D., 4/8/1985
- 8 Report of Dr. Alquizola, June 10, 1985
- 9 Report of Dr. Schmidtgoessling, June 25, 1985
- 10 Treatment Addendum of Dr. Schmidtgoessling, July 25, 1985
- 11 Report of Dr. Cooper, July 3, 1985
- 12 Report of Dr. Winter, July 30, 1985
- 13 Affidavit of Dr. James Eisenberg, December 19, 1989
- 14 Dr. Gilbert Memorandum, May 31, 1991
- 15 Report of Dr. Robert L. Smith, Sept. 16, 1993
- 16 Examination Report of Dr. Rogler, January 23, 1996
- 17 Affidavit of Martin Ryan, M.D., June 20, 2001
- 18 Aug. 26, 2014 Interdisciplinary Progress Note by Dr. John Davis
- 19 Progress Note, Mar. 18, 2014
- 20 Interdisciplinary Progress Note, May 16, 2014

- 21 Mental Health Caseload Classification, July 7, 2014
- 22 Mental Health Treatment Plan, July 7, 2014
- 23 Mental Health Status Exam and Summary, July 7, 2014
- 24 Treatment Notes
- 25 Interdisciplinary Progress Notes, Aug. 19, 2014
- 26 Interdisciplinary Progress Notes, Sept. 17, 2014
- 27 Progress Note, Nov. 19, 2014
- 28 Interdisciplinary Progress Notes, Feb. 27, 2015 & Apr. 6, 2015
- 29 Mental Health Treatment Plan, July, 2015
- 30 Progress Note, Feb. 12, 2016
- 31 Progress Note, Mar. 10, 2016
- 32 Progress Note, Mar. 28, 2016
- 33 Progress Note, Mar. 29, 2016
- 34 Progress Notes from March 30, 2016; April 7, 2016; and April 12, 2016
- 35 Progress Note, May 19, 2016
- 36 Progress Note, June 7, 2016
- 37 Progress Note, June 21, 2016
- 38 Progress Note, June 28, 2016
- 39 Progress Note, July 5, 2016
- 40 Progress Note, July 26, 2016
- 41 Progress Note, Aug. 9, 2016
- 42 Progress Note, Aug. 16, 2016

- 43 Progress Note, Aug. 19, 2016
- 44 Progress Note, Nov. 9, 2016
- 45 Progress Note, Nov. 22, 2016
- 46 Progress Notes, Aug. 30, 2017, and September 15, 2017
- 47 Progress Note, Oct. 5, 2017
- 48 Progress Note, Oct. 19, 2017
- 49 Progress Note, Oct. 24, 2017
- 50 Interdisciplinary Progress Notes, May 30, 1991, and Aug. 1, 1991
- 51 Memorandum from Psychology Supervisor Dr. Gilbert to SOCF
Warden Tate, June 7, 1991
- 52 Treatment Plan and Contract for Individual Therapy, April 22, 1996
- 53 Discharge Documents from the Psychiatric Hospital Unit of the
Oakwood Correctional Facility
- 54 Referral to Mental Health Services, Jan. 21, 2014
- 55 Enlistment Form Feb. 22, 1977
- 56 Letter of Commendation April 26, 1977
- 57 Record of Informal Counseling Oct. 30, 1977
- 58 Certificate of Achievement Dec. 15, 1978
- 59 Certificate of Training Feb. 2, 1980
- 60 Certificate of Achievement June 27, 1980
- 61 Promotion Orders April 27, 1981
- 62 Honorable Discharge June 17, 1981
- 63 National Personnel Records Center June 24, 2004
- 64 Report of David Ferrier May 1, 2018

- 65 Report of Mark Grimsley March 2, 2017
- 66 Report of Carl Shipp Jan. 6, 2017
- 67 Robert Van Hook Letter to Congressman Tim Ryan June 4, 2004
- 68 Declaration of Keith Johnson
- 69 Declaration of Daniel Berends
- 70 Declaration of Frances May
- 71 Declaration of Sister Therese Rich
- 72 Declaration of Tracey Weigand

EXHIBIT 55

LAST NAME: VAN HOOKSSN: 285-68-3600

44. RECRUITER: I certify that I have witnessed applicant's signature above and further certify that I have verified the data in Sections I, III, and IV of this document, and the documents listed above as prescribed by my directives. I understand my liability to trial by courts-martial under the Uniform Code of Military Justice should I effect or cause to be effected the enlistment of anyone known by me to be ineligible for enlistment.

a. DATE <u>16 Feb 77</u>	b. NAME, GRADE, SSN, AND RECRUITER ID NO. (Type or Print) <u>WALLACE D. McKEAR E6 SB1A03815</u>	c. SIGNATURE OF RECRUITER <u>Wallace D. McKeear</u>
-----------------------------	--	--

VI. PARENTAL/GUARDIAN CONSENT FOR ENLISTMENT

45. I/we certify that the applicant named herein has no other legal guardian than me/us and I/we consent to his/her enlistment in the U.S. ARMY subject to all the requirements and lawful commands of the officers who may, from time to time, be placed over him/her; and I/we certify that no promise of any kind has been made to me/us concerning assignment to duty, or promotion during his/her enlistment as an inducement to me/us to sign this consent. I/we hereby authorized the Armed Forces representatives concerned to administer medical examinations, mental and/or aptitude testing, and conduct records checks to determine applicant's enlistment eligibility. I/we relinquish all claim to his/her service and to any wage or compensation for such service.

46. For enlistment in a Reserve Component: I/we understand that as a member of a Reserve Component, he/she must serve minimum periods of active duty unless excused by competent authority. In the event he/she fails to fulfill the obligations of his/her Reserve commitment, he/she may be recalled to active duty as prescribed by law. I/we further understand that while the applicant is in the Ready Reserve, he/she may be ordered to extended active duty in time of war or national emergency declared by the Congress or the President or when otherwise authorized by law.

47. I/we certify that the applicant's birth date is: 12 JAN - 1960

NAME AND SIGNATURE OF WITNESSING OFFICIAL <u>Wallace D. McKeear</u>	SIGNATURE OF PARENT OR LEGAL GUARDIAN <u>Robert Van Hook</u>
NAME AND SIGNATURE OF WITNESSING OFFICIAL	SIGNATURE OF PARENT OR LEGAL GUARDIAN

VERIFICATION OF SINGLE SIGNATURE CONSENT

MOTHER & FATHER ARE DIVORCED, FATHER HAS CUSTODY

VII. ENLISTMENT OPTIONS—Completed by guidance counsellor, career counsellor, recruiter, AFES Liaison NCO, etc., as specified by sponsoring service.

ENL COMP. <u>USNR</u>	GRADE/RATE <u>E01</u>	DATE OF RANK <u>170222</u>	TERM ENL. <u>6</u>	T-E MOS/AFS <u>31M20</u>	PMOS/AFS <u>EESE</u>	WAIVER INFO <u>DD</u>	OPT ANL <u>TY</u>	PROG ENL FOR <u>3H001</u>
--------------------------	--------------------------	-------------------------------	-----------------------	-----------------------------	-------------------------	--------------------------	----------------------	------------------------------

SPECIFIC OPTIONS ENLISTED FOR:

H-4 82ND Abn Div Ft Bragg N.C.

I certify that I have reviewed all information contained in this document and, to the best of my judgment and belief, applicant fulfills all legal and policy requirements for enlistment. I accept his/her enlistment on behalf of the U.S. Army.
I further certify that service regulations governing such enlistment have been strictly complied with and any waivers required to effect applicant's enlistment have been secured and are attached to this document.

DATE <u>18 Feb 77</u>	NAME, GRADE, AND SSN, ORGANIZATION OR RECRUITER ID <u>(Typed) MARSHALL, SSG, [REDACTED] DRC, CINCINNATI, OHIO</u>	SIGNATURE <u>James D. Marshall</u>
--------------------------	--	---------------------------------------

VIII. RECERTIFICATION BY APPLICANT, AND CORRECTION OF DATA AT TIME OF ENLISTMENT

I HAVE REVIEWED ALL INFORMATION CONTAINED IN THIS DOCUMENT; THAT INFORMATION IS STILL CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IF CHANGES WERE REQUIRED, THE ORIGINAL ENTRY HAS BEEN MARKED "SEE VIII" AND THE CORRECTED INFORMATION IS PROVIDED BELOW, KEYED TO THE APPROPRIATE QUESTION.

QUESTION	CHANGE REQUIRED	
<u>Part VII</u>	<u>Change Enl Comp to RA</u>	
	<u>" Term Enl to 3 yrs</u>	
DATE <u>22 Feb 77</u>	NAME, GRADE, SSN AND SIGNATURE OF WITNESS <u>(Typed) SHARON A. POYNTER, SSG, [REDACTED] CINCINNATI, OHIO</u> <u>Sharon A. Poynter</u>	SIGNATURE OF APPLICANT <u>Robert Johnson</u>

EXHIBIT 56



DEPARTMENT OF THE ARMY
HEADQUARTERS 1ST BASIC COMBAT TRAINING BRIGADE
FORT GORDON, GEORGIA 30905

IN REPLY REFER TO

ATZHTB-CH

26 April 1977

SUBJECT: Letter of Commendation

THRU: Commander
4th Bn, School Brigade
Fort Gordon, Georgia 30905

Commander
Company C, 4th Bn School Brigade
Fort Gordon, Georgia 30905

TO: PVT Vanhook, Robert 285-68-3600
Company C, 4th Bn School Brigade
Fort Gordon, Georgia 30905

1. * Pvt Vanhook has exhibited a consistently positive attitude toward the Chapel Choir Program of the 1st Battalion, 1st Signal Training Brigade. His participation and enthusiasm has been greatly appreciated by myself and my staff. He has displayed qualities that have demonstrated his outstanding ability as a comrade and soldier. He has taken the extra effort above others in the choir to make the chapel program a success and I am exceedingly grateful for his loyalty and dedication.

2. A copy of this correspondence will be placed in your permanent file.

Roger C. Welsh
ROGER C. WELSH
CH (CPT), USA
1st Sig Tng Bde



EXHIBIT 57

RECORD OF INFORMAL COUNSELING SESSION

(USAREUR Supplement 3 to AR 635-200)

(For Privacy Act Statement see reverse)

1. Individual counseled.

Robert J. Vanhook PV2 285-68-3600

(Print full name, Grade, SSN)

CO A.11th Sig. Bn APO 09175 - Radio Site Eilensbach APO 09176

(Unit and duty assignment)

2. Counseled by

Date: 30 OCT 1978

Lawrence J. Santoro SP/4 Team chief

(Print grade, name and duty relationship to individual)

3. Summary of counseling.

During the time you have spent with me so far, as my assigned operator you have been doing an excellent job. You are performing your duties in an outstanding manner. Given a task you have worked on it till completion. But you need a little work so you can become an outstanding radio operator. overall you are doing an outstanding job. I am recommending you for a promotion to - PRIVATE FIRST CLASS

4. Individual's response.

5. Observable results. (Complete not more than two weeks after initial counseling)

Date completed

Typed or printed name, grade & SSN
of counselor

Lawrence J. Santoro SP/4 03070-4564

Signature

Lawrence J. Santoro

EXHIBIT 58

Certificate of Achievement



32d Army Air Defense Command United States Army Europe and Seventh Army

11TH AIR DEFENSE SIGNAL BATTALION

is awarded to

PRIVATE ROBERT J. VANHOOK

For HIS HEROIC ACTIONS IN HELPING EXTINGUISH THE FIRE IN COMPANY A'S SUPPLY ROOM ON THE NIGHT OF 12 JANUARY 1978. ON THE NIGHT OF 12 JANUARY 1978, PRIVATE VANHOOK WAS ON SHIFT IN TAA. WHEN HE HEARD OF THE FIRE HE IMMEDIATELY RENDERED HIS ASSISTANCE IN EXTINGUISHING THE FLAMES. HIS QUICK DECISIVE ACTION HELPED PREVENT A MAJOR FIRE FROM OCCURRING. PRIVATE VANHOOK'S ACTION AND DEVOTION TO DUTY IS A CREDIT TO HIMSELF, HIS UNIT, AND THE UNITED STATES ARMY.

This 15TH **Day of** DECEMBER **1978**

HENRY R. HOSMAN
LTC, SigC
Commanding

EXHIBIT 59

DEPARTMENT OF THE ARMY



Certificate of Training

This is to certify that

E-4 ROBERT J. VANHOOK, 285-68-3600

A COMPANY, 11TH AD SIGNAL BATTALION

has successfully completed

THE MEDIUM CAPACITY TDM/PCM ONE WEEK TROUBLESHOOTING COURSE

Given at HEADQUARTERS, 11TH AIR DEFENSE SIGNAL BATTALION

8 February 1980

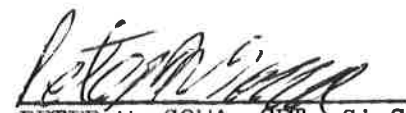

PETER W. SOWA, CPT, SigC
COMMANDER

EXHIBIT 60

Certificate of Achievement

HEADQUARTERS, 94TH AIR DEFENSE ARTILLERY GROUP



32d Army Air Defense Command
United States Army Europe and Seventh Army

is awarded to

SP4 ROBERT J. VANHOOK, 285-68-3600

For successfully completing the Basic Leadership Course conducted at
the 94th Air Defense Artillery Group, Kaiserslautern, Germany.

CLASS #11-80

FROM: 13 June 1980

TO: 27 June 1980

This 27TH Day of JUNE 1980


CSM
COMMANDANT

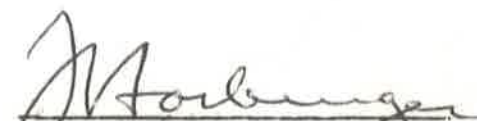

COL, ADA
COMMANDING

EXHIBIT 61

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST CAVALRY DIVISION
Fort Hood, Texas 76545

ORDERS 82-74

27 April 1981

The Secretary of the Army has reposed special trust and confidence in the patriotism, valor, fidelity, and professional excellence of ROBERT J. VANHOOK. In view of these qualities and his demonstrated leadership potential and dedicated service to the US Army, he is, therefore, promoted from SP4 to SGT in MOS 31M20. Promotion is effective 1 May 81 with a date of rank of 10 Apr 81. The authority for this promotion is paragraph 7-14, AR 600-200, and Letter, DAPC-MSS-PE, Military Personnel Center, 8 Apr 81, subject: DA Promotion Point Cut-off Scores for 1 May 81.

Additional instructions: a. Promotion is invalid and it will be revoked if the soldier concerned is not in a promotable status (paragraph 7-6, Army Regulation 600-200) on the effective date of promotion as shown in this order. b. You are required to submit an Enlisted Preference Statement (DA Form 2635) to Personnel Records Branch, 1st Cavalry Division, Building #3258.

Format: 302

FOR THE COMMANDER:

DISTRIBUTION:

~~AFVA-AG-PR (1)~~

AFVA-AG-PMP (1)

AFVA-AG-A (8)

AFVA-FO (3)

Cdr, USAEREC, ATTN: PASC-F, Ft Benjamin Harrison, IN 46249 (1)

Cdr, 13 Sig Bn (1)

Cdr, C Co 13 Sig Bn (1)

SGT VANHOOK, 285-68-3600, C Co 13 Sig Bn (5)

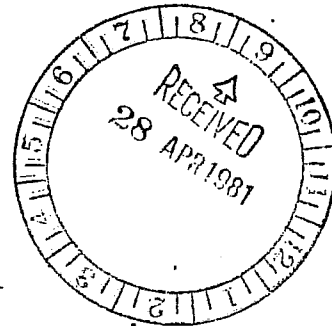
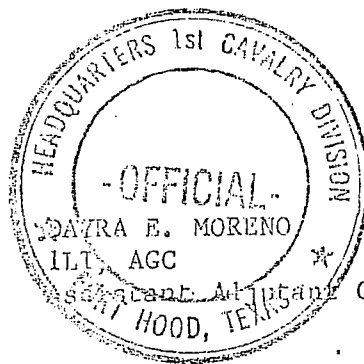


EXHIBIT 62

Honorable Discharge



from the Armed Forces of the United States of America

This is to certify that

ROBERT JOHNSON VANHOOK 285 68 3600 PRIVATE FIRST CLASS REGULAR ARMY

was Honorably Discharged from the

United States Army

on the 17th *day of* June 1981 *This certificate is awarded*

as a testimonial of 'Honest and Faithful' Service

MATTHEW C. WILSON

SFC, NCOIC, AG Trf Pt

EXHIBIT 63



TIM RYAN
CONGRESS OF THE UNITED STATES
17TH DISTRICT, OHIO

June 23, 2004

National Personnel Records Center
Military Personnel Records
9700 Page Ave.
St. Louis, MO 63132-5100

RE: Robert J. Van Hook Records & Medals Request
SSN: 285-68-3600

To whom it may concern:

I am writing on behalf of one of my constituents Robert J. Van Hook. He recently contacted my office asking my assistance in retrieving a copy of his military records and obtaining his military medals.

If you could send all copies of his military records and medals to my Youngstown district office at 241 Federal Plaza West, Youngstown, OH 44503, I would appreciate it.

Thank you for your immediate attention to this problem. I appreciate your assistance and consideration in this matter. If you have any questions regarding this situation, please contact Matthew Vadas in my district office at (330) 740-0193.

Sincerely yours,

Tim Ryan
Member of Congress
17th District of Ohio

TJR/mv



Congressman Tim Ryan

Representing Ohio's Seventeenth Congressional District

PRIVACY RELEASE FORM

Due to the enactment of the "Right to Privacy Act," it is necessary for you to complete and sign this form authorizing me and members of my staff to obtain the information needed to respond to your request for assistance. The information obtained will be only that which is relative to the problem you presented to my office.

Name: Robert Johnson Van Hook
Address: 878 Coitsville-Hubbard Rd. A186-347
City: Youngstown State: OH Zip Code: 44505
Email Address : _____
Phone (home): () _____ Phone (work): () _____
Social Security Number: 285-68-3600 Date of Birth: 1-14-60

Ohio State
Penitentiary-1
Phone number
(330) 743-0700
Warden Ishee

I understand that in order for you to respond fully to my request, it may be necessary for you or your staff to review those federal records that contain information you will need to assist me. By signing this form, I hereby authorize the appropriate federal agencies to release to you such information as you may require.

Signed: Robert J. Van Hook Date: 6-16-04

Please return completed form to my District Office at:

Congressman Tim Ryan
241 Federal Plaza West
Youngstown, OH 44503
Phone: (330) 740-0193
Fax: (330) 740-0182



National Personnel Records Center

Military Personnel Records, 9700 Page Avenue St. Louis, Missouri 63132-5100

June 24, 2004

Honorable Timothy Ryan
Member, U.S. House of Representatives
Attn: Matthew Vadas
241 Federal Plaza West
Youngstown, OH 44503

RE: Veteran's Name: VANHOOK ROBERT J.
SSN/SN: 285683600
Request Number: 1-143998712

Dear Mr. Ryan:

Thank you for contacting the National Personnel Records Center. We are pleased to respond to your request for Separation Documents, Personnel Records, and Medical Records by providing the enclosed document(s).

Separation documents may include the following information: the type and character of discharge, authority and narrative reason for separation, reenlistment eligibility code, and separation program designator/number. If you require a copy of the separation document that does not contain this information, a "*deleted*" copy must be requested from this Center. A seal has been affixed to the separation document to attest to its authenticity.

The Privacy Act of 1974 does not permit the release of a social security number or other personal information to the public without the authorization of the veteran concerned. Therefore, if applicable, personal data pertaining to other individuals have been deleted from the enclosed documents.

We are pleased to verify entitlement to the following awards:

GOOD CONDUCT MEDAL;
EXPERT BADGE with Grenade Bar;
MARKSMAN BADGE with Rifle Bar;

Your Awards Case Number is A4FSC37X6UL3W.


While NPRC verifies entitlement to awards, the Department of the Army maintains jurisdiction for issuing the actual awards. The awards will be shipped directly from the U.S. Army Tank Automotive and Armament Command at the address shown below. Any further correspondence concerning your request should be sent to that location.

U.S. Army Tank Automotive and Armaments Command
IMMC, Soldier System Team
PO Box 57997
Philadelphia, PA 19911-7997

You may check the status of this request at any time by visiting <http://veteranmedals.army.mil>. You will need the **Awards Case Number** shown above to access status information. You may also use this site to report a change of address if the requester moves prior to receiving the awards. Again, you will need the Award Request Number for an address change.

If you have any questions or comments regarding this response, you can reach Steven Minelli Name by phone at 314-801-0814 or by mail at the address shown in the letterhead above, ATTN: NPRM5, Room 2077. If you contact us, please reference the Request Number listed above.

Sincerely,


R.L. HINDMAN
Director

Enclosure(s)

EXHIBIT 64

Military Background Profile of Robert Van Hook

Robert "Bobby" Van Hook, the only child of Robert Jesse Van Hook and Joyce Salyers, was born on January 14, 1960. Robert, Sr., an itinerant musician and part time taxi driver, was a violent and callous man whose habitual substance abuse led to his early death from cirrhosis of the liver at the age of 53. Joyce was also a life time alcoholic. She had two daughters from a previous marriage, half-sisters of Bobby's.

Bobby often witnessed his father's brutal abuse of his mother. Joyce sometimes told stories of Bobby's father grabbing her by the hair and swinging her around the room and even threatening her with knives and guns. According to a court psychologist, Dr. Donna Winter, Bobby's early years were very much like a "combat zone." Bobby's father was not the only one responsible for the damage of his most formative years. The same court psychologist summarized Bobby's mother as someone "who could not offer stability or adequate care taking because she was either drunk, embroiled in a pathological relationship with her husband, or running around with other men."

One shred of hope in Bobby's violent and volatile childhood was the pride he had in his family's heritage of military service dating all the way back to the Civil War. Bobby's father, grandfather, great-grandfather, and several uncles had all served in the United States military during wartime. Documents, photographs, and military decorations were proudly displayed and shared at family gatherings. This made an indelible impression on Bobby, who saw military service as a rite of passage and looked forward to the time when it would be his turn to become part of this family tradition.

Bobby remembers his childhood as chaotic and nomadic. Reports of interview with family members reveal that Bobby lived in approximately 23 "run-down" apartments between the ages of 4 and 10 because the family was always being evicted or fleeing from unpaid bills. Although separated in 1966, Bobby's parents reunited, separated and battled incessantly. Bobby remembers many incidents of physical violence between his parents ending with one, or sometimes both, requiring medical attention or resulting in the intervention of authorities.

"My mother and father would be drunk most of the time but especially on weekends. They would beat on each other, throw things, even cut and stab each other when the fury was on them. I tried to duck and stay out of sight but they would throw me back and forth saying one or the other should take care of "the fucking kid". I swear when I was young I thought "fucking kid" was part of my name. When I was with my mother she would be drunk and drop me at a bar where my father was playing in a band and leave me there for him to take care of me. That meant I'd sleep in the back room or under the bar while my father played music all night and got drunk himself. Sometimes he'd forget I was there and go off and the janitor would have to go find him to come get me."

When Bobby was just before he was 10 years old, his father introduced him to hard liquor. Robert, Sr. found it amusing to throw shots of whiskey into his son's face and to have Bobby do the same to him. By the time he was 11, Bobby's father had introduced him to amphetamines and marijuana, as well. Bobby rarely went to school as a young child and recalls "blacking out" after prolonged drinking and spending nights in bar rooms without going home to a bed of his own.

In 1974, when he was 14 years old, Bobby moved with his father to Marathon, Florida, where they lived with the family of one of Robert, Sr.'s friends. Bobby recalls his father continuing with his bar room lifestyle, playing music in the evening, and driving a cab part time during the day. Bobby didn't go to school. Instead, he spent his days going to the beach and his nights with his father in the bars. These few months were a brief moment in the sun in Bobby's otherwise overcast childhood. He remembers this time as being comparatively idyllic to the nightmare that came before and the horror that was yet to come in his young life. His glimpse of happiness came to an abrupt end, when his father seduced the teenage daughter of their hosts and then attempted to shift the blame to Bobby. Bobby ran away to escape the uproar that followed, landing penniless in Key West, Florida, 14 years old and totally alone in the world.

At first, Bobby tried to feed himself by panhandling and at night he would sleep on the beach with the other transients. It wasn't long before he met another young boy who insisted that they could make good money by putting on a show during the nightly Sunset Celebration at the Key West Mallory Square Dock. The show involved a mortified Bobby making a high dive from the pier and belly flopping into the ocean, while his friend gathered a crowd and passed the hat after Bobby made the plunge.

"It hurt a lot when I'd crash into the water and all the people would laugh and point down at me until I climbed back up on the pier. My partner would pass a hat around for change while I stood there all embarrassed and wanting to hide my face. We tried this for about a week and I just couldn't do it anymore. That's when my partner told me he knew of another way him and me could make a lot of money."

Bobby learned that the "other way" involved prostituting themselves in the local gay community, a supposedly low risk, high reward venture that Bobby was assured would be an easy way for them to make lots of money. Bobby's friend told him that he would not need to "do anything" to the customers, he could just allow them to "do things" to him. Bobby struggled through deep embarrassment and shame as he saw no way out except to allow himself to be used by adult men day after day. Eventually, he and his friend were arrested and banished from Key West.

"At first I only went with men who wanted to have sex with me but eventually I had to start doing things to them too. I was so ashamed of what I was doing but didn't know anything else I could do. If I even tried to get a job they would find out how old I was and not hire me. I had no idea where my father had taken off to and didn't want to go back to where my mother was so I just went on. My father had always

told me how much he hated “fags” and here I was being one. I hoped no one would ever find out about this. The police finally caught us and took us to jail but because we were both underage they just told us to get out of Key West. I lied about my age and told them I was going to go home but really I had nowhere to go. My partner and I hitchhiked up to Fort Lauderdale and pretty much started doing the same thing there.”

Bobby and his street partner ultimately had a falling out and, soon after, he met another man he describes as a pimp. The pimp offered to take Bobby to New Orleans, where he promised him he could make lots of money selling himself to other men. Bobby agreed and followed the pimp to New Orleans where Bobby celebrated his 15th birthday.

Bobby’s life rapidly disintegrated into a haze of alcohol, drugs, and sexual depredation. Bobby made several failed suicide attempts and began to self-mutilate by cutting himself, which would become a lifelong coping mechanism. Bobby’s attempts to work at “straight” jobs, including a local pizzeria, inevitably failed because he was mentally and physically broken, depending on drugs and alcohol to numb his pain. Exhausted by an existence of humiliation and shame from which he would never recover, Bobby reluctantly returned to Ohio where he began living with his mother and her boyfriend, Clark Luttrell.

Clark Luttrell was an avid “Neo Nazi” with an extensive collection of Nazi memorabilia, extreme racist views, and a rigid and intolerant disposition. He allowed Bobby to live under his roof conditionally, and Bobby often had to listen to Luttrell expound on his hatred for blacks, Jews, dopers, and “fags.” Bobby, who lived in fear that his past would somehow be exposed to the hatefully intolerant Luttrell, ran away from yet another traumatic existence. He moved to Cincinnati with his father who was playing music in the area bars. Bobby, now 15 years old, began playing drums with his father’s band. He spent his time drinking and partying with his father and bandmates, without a thought of returning to school where he’d never really gone to begin with.

Living with his father, with virtually no structure, guidance, or discipline, Bobby began to have run-ins with the law. In 1975 he was arrested for “disorderly conduct”, and the following year for “disorderly conduct” and “intoxication.” When Bobby turned 16, he was able to legally drop out of school. He did and began to count the days until he could do the only thing he imagined could save him from the endless shame, pain, and suffering of his young life.

MILITARY HISTORY

On February 17, 1977, one month after his 17th birthday while still ostensibly living under the guidance of his father, Robert enlisted in the United States Army. Still legally a minor, Robert needed his father’s permission to enlist and his appended enlistment papers reflect his intention of enlisting for six years and to join the 82nd Airborne Division as a paratrooper. Robert’s enlistment was amended to reflect a maximum three year enlistment and his eventual assignment to the Signal Corps as a Radio Technician.

Robert recalls:

I couldn't wait to get old enough to go in the service, this had been my dream for as long as I could remember. I tried for the Marines first but I couldn't pass a written test and they wouldn't take me. My next choice was the Army because I wanted to be a paratrooper in the 82nd Airborne just like on the movies. I had some difficulties with the testing there too but I passed it and got to go in. I felt if I picked the toughest job I could start all over again and clean myself up. Nobody would know about my past or my family or my arrests and I could become a good soldier like the others in my family had done.

Given his background and upbringing Robert's eligibility for military service would hardly seem credible. He had barely begun, and never finished high school. He had a record of multiple arrests and physical scarring from self-cutting. He had already failed the entrance examination for the Marine Corps and had a history of drug and alcohol abuse.

His attempt to enlist for six years and request for assignment to a combat arm were very much at odds with the social climate of the day. Saigon had fallen to the North Vietnamese forces only two years earlier and images of the American withdrawal from Vietnam were seared into the national consciousness. In January of 1977, a mere month before Robert enlisted, newly elected President Carter had officially pardoned all the Vietnam draft evaders and allowed for individuals who had deserted the military during the Vietnam War to return to the country and have their discharges reviewed. The post-Vietnam military was undergoing an across the board reduction in strength, particularly among the combat arms and military service was very much out of favor with the youth culture. In her landmark book "Long Time Passing – Vietnam and The Haunted Generation" author Myra MacPherson references...

For the first time, it was chic and righteous in influential and power circles not to go to war. Avoiding Vietnam was more of a badge of honor than going. Approximately 60 percent of draft age males who did not serve took positive steps to avoid it, through legal and illegal means.¹

Without this prevailing negative social attitude toward the military it seems doubtful Robert would ever have been allowed to enlist in the military. However for Robert military service was his Gold Ticket, the only way out he could envision from his dysfunctional upbringing.

After his induction Robert was shipped to Fort Gordon, Georgia for his Basic Combat Training. By all indications Robert flourished in his new military environment passing through basic training without incident while earning the praise of his superiors. Indications of Robert's progress are recorded in a Commendation Letter from Captain Robert Welsh, Commander of Company C, 4th Battalion School Brigade at Fort Gordon. The appended letter reads in part...

¹ Baskir, M. Lawrence and Strauss, William A. Chance and Circumstance: The Draft, The War, and the Vietnam Generation. New York, Alfred A. Knopf, 1978 as referenced in Long Time Passing, pg 28.

“Pvt. Van Hook has exhibited a consistently positive attitude toward the Chapel Choir Program of the 1st Battalion, 1st Signal Training Brigade. His participation and enthusiasm has been greatly appreciated by myself and my staff. He has displayed qualities that have demonstrated his outstanding ability as a comrade and soldier. He has taken the extra effort above others in the choir to make the chapel program a success and I am extremely grateful for his loyalty and dedication.” (Exhibit 56)

After completing the rigorous eight week cycle of boot camp Robert was assigned to Signal School at Fort Gordon where he successfully completed the Multichannel Communications Equipment Operator Course. For Robert the diploma he received for completing this course was the first he had ever received in his life and a source of enormous pride. Robert recalls...

I had never graduated from anything before. I got lots of help from my instructors because I didn't have much schooling before joining and wasn't so good at math and such. I was clean and sober too, for the first time I could ever remember. I felt good about myself and when I learned I was being sent overseas to Germany I was very excited. We were told we would be on the front lines watching the Russians and I wanted to be ready for anything,

Robert, still six months shy of his eighteenth birthday, deployed to U.S. Army Headquarters in Frankfurt, Germany in August of 1977. He was further assigned to Company A, 11th Signal Battalion, Seventh Army Signal Corps in Darmstadt. Robert remembers his arrival in Germany...

I couldn't believe when I got to the Replacement Center and all there was around the base was strip clubs and whorehouses and barrooms. There was lots of drugs around too and black bars and white bars, lots of fights. This was everything I went in the Army to get away from. I couldn't wait to get sent out to my duty assignment in the field and away from all of that stuff.

In a document prepared by Mark Grimsley, an Associate Professor of History at Ohio State University with an expertise in military history, entitled “Memorandum Re Military Culture Regarding Alcohol Use, 1970-1985”, the author writes at p. 9-10: (Exhibit 65)

In the military, alcohol use signified something much more important than a source of enjoyment or a refuge from boredom or personal problems. It indicated *belonging*. It was perceived as an important contributor to *esprit de corps*. And among males in the military, hard drinking was considered a sign of *masculinity*.

With regard to belonging, alcohol consumption was a prominent feature of initiations into elite units such as the Airborne or SEALs, and even into ordinary soldiering. When the present writer completed Army initial Active Duty Training (Basic Combat Training and Advanced Individual Training) in December 1983, for example, his platoon sergeants smuggled two kegs of beer into the barracks explicitly as a way to show that they now considered their trainees to be full-fledged soldiers. A retired Army colonel who served in 1983-2013 – after Van Hook's term

of service and at a time when the Army had intensified its effort to combat problem drinking – informed the author: “Alcohol use was encouraged by chains of command up to general/officer installation command level. On post clubs were booming, many commanders had mandatory club calls on Fridays, which encouraged drinking. Events at clubs included happy hours, strippers, etc. Made you want to stay and drink. Unit indoctrination ceremonies were steeped in tradition including guzzling drinks, mixing alcohol heavy grog, etc. If you didn’t do it, you were not accepted.

Professor Grimsley’s entire memorandum is appended. (Exhibit 65)

Robert reports that his arrival in Darmstadt was only a slight improvement over the honkytonk atmosphere of Frankfurt. Essentially a rear echelon staging area Darmstadt became Robert’s primary base of duty during his tour in Germany. Robert recalls that discipline was lax and racial tensions were particularly acute with a proliferation of drugs including readily available and inexpensive hashish and heroin. Robert relates an incident that set the tone for his time in Darmstadt...

When I first got there we had an Alert one night. They woke all of us up and told us to get ready. I put on every piece of field gear I had been issued, I even painted my face with the green and black coloring they gave us for night duty. When I was all prepared I fell out in front of the barracks and I was the only one there. The rest of the guys stayed in bed. They laughed at me and told me this stuff went on all the time and nobody paid any attention to it. I did because I thought that’s what we were there for. I found out I was wrong.

Robert reports that soon after this incident his section leader took him under his wing and taught him the ropes at Darmstadt. Duty tours consisted of three days on duty in the communications center and three days off with little or no supervision or structure during the off duty hours. Robert recalls that when off duty all the men in his unit either went to the local bars where alcohol was inexpensive and plentiful or laid around in the barracks smoking cheap hashish in racially divided cliques. Robert remembers...

My platoon was divided into the dopers and the drunks. Nobody seemed to care what we did when we were off duty as long as we showed up for formations. I tried to stay away from the drugs at first because I had been clean ever since I came in the Army and felt good about that. The problem was if you didn’t smoke a pipe with the others they got to thinking you might be an undercover MP. The way to get trusted by the others was to go along, which I did and everything started getting worse from there.

In the ensuing months Robert is cited for two off-duty infractions including a first notation for “drug abuse” and fighting. Also noted was a hospital visit for a laceration on his forearm that required stitches which Robert reports marked a gruesome return to his pre-military habit of cutting on himself. Robert explains...

I was getting really depressed, drinking a lot and smoking hash with the guys in my unit. I asked for my transfer to Airborne School but couldn't get anybody to help me. I started my GED but couldn't understand the math and stopped going. The only time I felt like a real soldier was when we went to the field radio relay station in Eisenbach and lived in tents out in the country. I volunteered for Survival School twice and trained with British Commandos rappelling off cliffs and cross country skiing. I loved doing all that. When I completed the courses I felt like a hero.

While rear echelon garrison duty continued to have its pitfalls for Robert he was not without accomplishments. In October of 1978 Robert received the following assessment from his team leader, Specialist Four Lawrence Cantaro at Eisenbach Radio Relay facility...

During the time you have spent with me so far, as my assigned operator you have been doing an excellent job. You are performing your duties in an outstanding manner. Given a task you have worked on it till completion. But you need a little work so you can become an outstanding radio operator, overall you are doing an outstanding job. I am recommending you for promotion to Private First Class.
(Exhibit 57)

Further recognition of Robert's positive efforts were recorded in December of 1978 with the award of a Certificate of Achievement by the 32nd Army Air Defense Command, United States Army Europe, Seventh Army, 11th Air Defense Signal Battalion. This award states...

For his heroic actions in helping extinguish the fire in Company A's supply room on the night of 12 January 1978. On the night of 12 January 1978, Private Van Hook was on shift in TAA (Technical Assistance Area) when he heard of the fire he immediately rendered his assistance in extinguishing the flames. His quick and decisive action helped prevent a major fire from occurring. Private Van Hook's actions and devotion to duty is a credit to himself, his unit, and the United States Army. (Exhibit 58)

This commendation is signed by Lieutenant Colonel Henry Hosman and is appended to this report along with the assessment by Specialist Cantaro.

In March of 1979 Robert reenlisted in the Army for an additional six years, again requesting assignment to the paratroopers. Once again the social climate of the time affected Robert's military career. Combat arms, particularly Airborne Units were being down sized as the military transitioned to a peace time mission. Fewer soldiers were needed as paratroopers as helicopter insertion had replaced the traditional air drop of combat units into war zones. The peace time Army would rely more on technicians than warriors and Robert's training as a Radio Technician likely precluded his request for airborne school being granted. Subsequently no action was ever taken upon his request.

Robert continued his duties in Germany and was promoted to Specialist Fourth Class in October of 1979. In February of 1980 Robert successfully completed a one week troubleshooting course on field radio equipment. Four months later he is awarded another Certificate of Achievement,

this one for the successful completion of the 94th Air Defense Artillery Group's Basic Leadership Course.

Robert evidences great pride in these accomplishments and looked forward to continuing his military career upon completion of his tour in Germany. Once again he volunteered for Jump School at Fort Benning, Georgia but no action was taken on this request. In August of 1980 he was assigned to 13th Signal Battalion, First Cavalry Division, Fort Hood, Texas as a Senior Mechanical Equipment operator. It was here that Robert's lifelong dream of a military career would come to a tragic conclusion. Robert recalls...

I couldn't understand why I was being sent to Texas when I kept asking for Airborne School but figured I could go and try to get transferred once I got there. I went back to Ohio before I went to Texas and everything was the same as when I left, lots of drinking and drugs and fighting. I left as soon as I could because I figured the Army was my real home now.

Upon arrival at Fort Hood Robert was assigned to a Motor Pool where he reports he languished among a group of malcontents with little to do all day and only minimal supervision from his superiors. In this environment Robert's behavior deteriorated and his drinking and drug use escalated. A series of infractions ensued, all drug and alcohol related, which resulted in a demotion in rank to Private First Class from Specialist Four and several unsuccessful stints in various military substance abuse rehab programs. A final altercation which occurred while on temporary assignment to Fort Irwin, California sealed his fate. Robert was counseled that he was going to be separated from the service as a rehabilitation failure at Fort Hood and as such he would be processed for separation from the Army.

A remarkable footnote to Robert's now failed military career was his promotion to the rank of Sergeant shortly before his separation. Despite repeated relapses into alcoholism Robert's overall military acumen apparently overrode the negative impact of his drinking in the eyes of his superiors. A promotion to Sergeant, a Non-Commissioned Officers Rating, is a prestigious achievement as noted in the appended promotion orders. These orders read in part...

The Secretary of the Army has reposed special trust and confidence in the patriotism, valor, fidelity and professional excellence of Robert Van Hook. In view of these qualities and his demonstrated leadership potential and dedicated service to the US Army, he is, therefore, promoted from Sp4 to SGT in MOS 31M20. (Exhibit 61)

In June of 1981 Robert was granted a fully Honorable Discharge from the Army along with the Good Conduct Medal and various campaign and qualification badges. These awards are by no means automatic or routine and are indicative of the overall positive caliber of Robert's service. (Exhibit 62)

SUMMARY

Robert Van Hook's life is marked by hard won achievements and tragic failures. While in the Army, he was repeatedly cited for the outstanding nature of his job performance. His successful completion of his training and military obligations are offset by repeated failures at drug and

alcohol rehabilitation. Yet in order to understand, at least in part, Robert Van Hook's downfall, one need only consult the enormous field of literature emerging from the study of the behavioral effects of Post Traumatic Stress Disorder. The evolution, diagnosis, symptomology and prevalence of Post Traumatic Stress Disorder among America's veterans will comprise the second half of this report and shed considerable light on Robert Van Hook's behavior.

POST TRAUMATIC STRESS DISORDER

The diagnosis and treatment of Post Traumatic Stress disorder reached its apex during the aftermath of the Vietnam War. Thousands of veterans suffered from a common anthology of symptoms, most then unrecognized by the medical community. The essential precursor of Post Traumatic Stress Disorder is the development of characteristic symptoms following a psychologically traumatic event that is generally "outside the range of usual experience and that would be markedly distressing to almost anyone."

In *The Attorney's Guide To Defending Veterans In Criminal Court* authors Dr. Daniel Dossa and Dr. Ernest Boswell write...

The DSM-5 describes representative events felt sufficient to produce PTSD including the following:

The directly experienced traumatic events in Criterion A include, but are not limited to, exposure to war as a combatant or civilian, threatened or actual physical assault (e.g. physical attack, robbery, mugging, childhood physical abuse), threatened or actual sexual violence (e.g. forced sexual penetration, alcohol/drug facilitated sexual penetration, abusive sexual contact, noncontact sexual abuse, sex trafficking), being kidnapped, being taken hostage, terrorist attack, torture, incarceration as a prisoner of war, natural or human-made disasters and severe motor vehicle accidents. For children, sexually violent events may include developmentally inappropriate sexual experiences without physical violence or injury.ⁱ

Robert's personal history is riddled with these precursors and much of his behavior in the military can be understood as stemming from these events. In an unusual but not uncommon twist Robert likely brought PTSD into the service with him, undiagnosed and overlooked in the selection process.

The more obvious effects of exposure to such psychological trauma such as hyper-alertness, exaggerated startle response, disturbed sleep, fits of rage, and feelings of extreme alienation and meaninglessness, were often self-medicated by alcohol and substance abuse. The less obvious factors, deep depression, suicidal thoughts and ideations, feelings of shame, guilt and worthlessness, were often kept locked inside, waiting for the release of therapy and understanding.

In an article published in the U. S. National Library of Medicine and the National Institute of Health, the importance of understanding and addressing Chronic Post Traumatic Stress Disorder was addressed:

More importantly, attention needs to focus on the additive effect of co-morbid life events and the traumatic potential of invasive medical therapies. Consideration of PTSD and a continuum of cumulative adversity provide a more complex and fully drawn understanding of the circumstances surrounding the chronic illness, coping and reasons for maladaptive coping following invasive therapies and changes in disease trajectory. The pathophysiology that produces a chronic disease does not begin at symptom onset, and the psychosocial strategies to cope with chronic illness, whether efficacious or maladaptive, also do not begin at symptom onset, but develop over the life course.

In 1985 Robert was evaluated by Hamilton County Psychiatric Clinic psychologist Dr. Donna Winter. In her report Dr. Winter chronicles the violent and chaotic nature of Robert's upbringing and notes...

...life for Mr. Van Hook was very much like a combat zone. This may explain his early and continuing attachment to fantasies about war and the military. Whether Mr. Van Hook became involved in military fantasies as a way of coping with anger against family members, or whether he was attempting to master his own anxiety matters little. What is important is that the fantasies about killing and war began very early for Mr. Van Hook.

Dr. Winter concludes...

Evaluation reveals a man who is neither mentally ill, nor mentally retarded. He is a product of an unstable, non-nurturant, violent, and chaotic background as outlined above. Descriptions given by Mr. Van Hook and family members indicate his early years were characterized by inadequate parental care due to the absence/unavailability of his mother because of drinking, repeated abandonment by her, exposure to physical and sexual violence, and exposure to substance abuse. The factors preclude development of a healthy, normal personality. Instead, Mr. Van Hook developed a serious character disorder, i.e. borderline personality disorder. This disorder is characterized by chronic intense anger, feelings of worthlessness, and self hate, inability to develop relationships with others except for meeting one's own needs and chronic feelings of insecurity and emptiness due to inability to function socially or vocationally. Mr. Van Hook has adopted two methods of dealing with these impairments. He has developed a long-term fantasy life in which he is a heroic military man. Even after leaving the Army, he continued to wear combat fatigues on the street and continued to read novels about war. Mr. Van Hook's other coping method was to seek oblivion through drugs or alcohol. He is in fact, chemically dependent.

Robert Van Hook's pre and post-military conduct and behavior are consistent with and strongly indicative of Post Traumatic Stress Disorder. I strongly believe the significance of this underscores the extraordinary efforts Robert had to have made to fit in during his military career. On several occasions he was cited for personal achievements difficult to obtain for soldiers not ravaged by a pre-existing PTSD symptomology. With an overwhelmingly dysfunctional childhood, little formal education and multiple substance abuse addictions Robert still was able to successfully perform his duties as a soldier and obtain a fully Honorable Discharge from the military during one of its strictest disciplinary periods.

In 1981 alone over ten thousand soldiers were court martialed by the Army and given less than honorable discharges. Figures for the preceding years, which mark Robert's term of service, exceed thirty thousand Courts Martial.² For Robert to have avoided this extreme measure of sanction reflects an acknowledgement by the military that his overall performance as a soldier warranted a less severe, fully honorable dismissal even given his insurmountable substance abuse problems.

Despite the compassionate circumstances of his discharge Robert's reports that he was shattered by having his lifelong dream of a military career ended. His honorable discharge made Robert eligible to reenter the service after two years of sobriety and clean living and on this hope Robert hung his hopes for his future. Robert recalls...

With all the bad places I'd been in my life and all the bad things that happened to me I never felt as bad as the day I had to leave the Army. I know it was my fault, I got drunk and I missed my duty and all the other things they charged me with but I would have given anything for another chance. When I left Texas I had nowhere to go but back to Ohio where I would try to get sober and get back into the Army.

Robert's return to Ohio in 1981 perhaps inevitably led to a continued downward spiral of his life. Living sporadically with his mother, various girlfriends, roommates and on the street, Robert began a series of arrests beginning with a 1982 theft charge and culminating in his conviction for the murder of David Self in 1985.

During these years Robert made sporadic attempts to seek help from the Veterans Administration. In 1984 he was voluntarily admitted to the Veteran's Administration Inpatient Substance Abuse Program. While being treated he came into contact with Carl Shipp an Outreach Counselor for the VA who maintained contact with Robert on an out patient basis up until the time of his arrest. Mr. Shipp currently works for the Veterans Administration in Fort Harrison, Montana as a veteran's counselor. (Exhibit 66) In an interview conducted for this report Mr. Shipp recalls ...

Robert was one of those "lost ones". He would come to see me often, most always dressed in combat fatigues, in and out of work, sometimes sober but more often not. I came to learn of his dreadful background and his bleak present life. There was just so little we could do for him then. The VA had no meaningful vocational programs, the in-patient programs were overcrowded and underfunded and Robert had

² Department of the Army Historical Summary Fiscal Years 1977-1981, appended.

absolutely no family or social support. There is so much I would have done differently then if I had the training and experience I have today. The one aspect of his life Robert spoke of with pride was his time in the military. His most crushing disappointment was his failure to stay in the Army and make it his career. I really feel the military failed Robert in several ways. The lack of structure he encountered, the low morale, widespread drinking and drugging were the exact opposite of what Robert went in the Army to give his life to

Robert's pride of service has not wavered over the years he has been incarcerated. In June of 2004 he wrote to Congressman Tim Ryan regarding his years in the service. Robert's appended letter reads in part...

Although I am a convicted felon, I am still a patriot and love my country. The morale amongst the U.S. prisoners is very low and anti-American. I believe that if I could be presented my due awards, citations or medals for my service, and that presentation showed on the institution video channel, that it would greatly lift and boost the morale of the inmates and bring some sense of patriotism to them. We need patriotism amongst our prison population in America so that when most of these prisoners return to society one day, they will be better citizens. (Exhibit 67)

Robert's full letter, along with Congressman Ryan's reply and the subsequent verification of these awards from the National Personnel Records Center are appended.

Robert has remained current on veteran's affairs throughout his incarceration. During our interviews he spoke knowledgeably about current veterans issues and expressed a desire to help other incarcerated veterans become aware of and utilize whatever veterans benefits or awards they may be entitled to.

CONCLUDING REMARKS

Robert Van Hook's time in the United States Army was the one, singular, positive accomplishment in a life destined from earliest childhood to be beset by tragic circumstances. His only perceived escape from horrendous parenting, adolescent sexual abuse and exploitation, an almost total lack of basic education and ingrained substance abuse was a career in the military. Robert made clear from the very start he never wanted to leave the military. His dream was to be a soldier. A paratrooper. A hero like he had fantasized about since a small child.

Robert entered the military with at best a minimal skill set. The peacetime, garrison Army which he encountered was reeling from its perceived defeat in the Vietnam War, beset with racial tensions, substance abuse issues and lack of a clearly defined mission. Sent overseas before his eighteenth birthday he encountered all of these issues with no personal means of coping with them. Despite this he rose to the rank of Sergeant, however briefly, received commendations and praise from his superiors and was granted a fully Honorable Discharge for the caliber of his service.

As a veteran myself I know how hard it is to persevere through one's military commitment and achieve this goal. After many long years of not adequately acknowledging the contributions of America's veterans society today has finally granted veterans the recognition and gratitude they deserve. This appreciation of the nature and magnitude of their sacrifice should not be overlooked in Robert's case. He volunteered for military service, aimed for a lifetime commitment to that service and endeavored to do the best he could given his personal limitations. Robert's honorable military service sets him apart, not above, the average citizen. Sparing his life would certainly be a magnificent acknowledgment of that contribution.

5/1/18
Date

D. J. Termini

ⁱ Attorneys Guide to Defending Veterans in Criminal Court, Editors Brockton Hunter and Ryan C. Else, Chapter 6, pg. 154.

EXHIBIT 65

BEFORE THE OHIO PAROLE AUTHORITY
IN RE: ROBERT J. VAN HOOK

**MEMORANDUM OF CHRISTOPHER MARK
GRIMSLEY IN SUPPORT OF ROBERT VAN
HOOK'S APPLICATION FOR EXECUTIVE
CLEMENCY**

I.

My name is Christopher Mark Grimsley. I am currently employed as an Associate Professor of History at the Ohio State University. I hold the following academic degrees: B.A., History, 1982 The Ohio State University; M.A. War Studies, Kings College London, 1985; Ph.D., History, The Ohio State University, 1992. My areas of expertise include US History to 1877; Military History; and Human Conflict, Peace and Diplomacy.

I am the author of *The Hard Hand of War: Union Military Policy Toward Southern Civilians, 1861-1865* (New York and London: Cambridge University Press, 1995), which won the Lincoln Prize.

I co-authored *Warfare in the Western World*, the military history textbook in use at the U.S. Military Academy. Other works include *Civilians in the Path of War* (Lincoln: University of Nebraska Press, 2002) (with Clifford J. Rogers); *The Collapse of the Confederacy* (Lincoln: University of Nebraska Press, 2001) (with Brooks D. Simpson); *And Keep Moving On: The Virginia Campaign, May-June 1864* (Lincoln: University of Nebraska Press,

2002), *Gettysburg: A Battlefield Guide* (Lincoln: University of Nebraska Press, 1999) (with Brooks D. Simpson), and *Shiloh: A Battlefield Guide* (Lincoln: University of Nebraska Press, 2006) (with Steven E. Woodworth).

I am the recipient of three teaching awards. In 1994 I received the Clio Award for Distinguished Teaching in History from the OSU chapter of Phi Alpha Theta, a student organization focused on history. In 1997 I received the Ben Jones Award for Outstanding Teaching in History, an award bestowed by the OSU College of Humanities. In 1999 I received the Alumni Award for Distinguished Teaching, OSU's highest award for classroom excellence.

From July 2008 through June 2010, I served as a visiting professor at the U.S. Army War College, where I held the Harold Keith Johnson Chair of Military History. At the conclusion of my tenure I received the Department of the Army Outstanding Civilian Service Medal.

From April 1983 through August 1991 I served in the Ohio Army National Guard. My Military Occupational Specialty (MOS) was 13F, Fire Support Specialist in the field artillery. During my service I received two U.S. Army Achievement Medals and attained the rank of Sergeant.

At the request of the Federal Public Defender's Office, Capital Habeas Unit, I am submitting this declaration in support of Robert Van Hook's petition for executive clemency. In preparation for this report, I reviewed records regarding Robert Van Hook's service in the United States Army, as well other records pertaining to his background.

II. Summary of Robert Van Hook's Military Service

Robert was a veteran of the United States Army during a portion of the Cold War era.

On February 16, 1977, Robert, Jr., enlisted in the U.S. Army for a term of three years. Because he was 17 years old, a year short of the standard minimum age for enlistment, his father, Robert, Sr., was required to give his consent for Robert, Jr., to enlist. Private (E-1) Robert Van Hook, Jr. began Basic Combat training (10 weeks) at Fort Gordon, Georgia, home of the U.S. Army Signal Corps. He would have received an interim Secret Clearance. In May, 1977, after an Entrance National Agency Check (ENTAC), Robert received a final Secret Clearance. A Secret Clearance is routine but it indicates that the investigation of Robert, Jr.'s background revealed no adverse, disqualifying information.

In July, 1977, Robert, Jr., a diploma was awarded to Robert at Fort Gordon, Georgia, in recognition of his successful completion of the Multichannel Communications Equipment Operator Course (31M20) at the United States Army Signal School.

In August, 1977, Robert, Jr. successfully completed Advanced Individual Training (AIT) as a Multichannel Communications Equipment Operator (15 weeks). His MOS 13M, was a specialty associated with a critical task in combat, the rapid availability of communications among units for tactical reasons would typically operate in a dispersed pattern. The task therefore depended upon an unusually high degree of sophistication, a point emphasized by a 1992 report by the RAND Corporation, a top level national security research center. (John D. Winkler, Judith C. Fernandez, and J. Michael Polich, *Effect of Aptitude on the Performance of Army Communications Operators* (Santa Monica, CA; RAND, 1992)

While at Fort Gordon, Robert, Jr., participated in a Chapel Choir Program, an optional additional duty. For this he received a letter of commendation from his chaplain, Captain Robert C. Welsh, in which Welsh noted that Robert, Jr., displayed "extra effort above others in the

choir.” The letter concluded, “I am extremely grateful for his loyalty and dedication.”

In August 1977 he was posted to U.S. Army headquarters, in Company A, 11th Signal Battalion, Seventh Army, U.S. Signal Corps in Darmstadt, Federal Republic of Germany (FRG). At that time, the U.S. Army’s most critical mission was to prepare itself for an all-out offensive by the forces of the Warsaw Pact, the Communist counterpart of NATO. Because the military forces of the Warsaw Pact considerably outnumbered the NATO forces arrayed against them, the training tempo should have been at the highest level the U.S. Army could achieve. However, in those years the Army was commonly called the “hollow army”, in large part because of reduced funding, which notably limited the training tempo because of the chronically limited funding available. In consequence, the *esprit de corps* within the Army was relatively low, and Robert’s experience in the Army would have reflected this.

Further, peacetime service in a country in which Robert, Jr., had no ability to speak German would have meant that he spent most of his time on post, with limited opportunities for recreation and consequently a high degree of boredom. From my personal knowledge of soldiers who served in that period, this was a typical experience. The limited off-post activity usually consisted with interaction with prostitutes and heavy drinking at local beer halls. (At that time the population of Darmstadt was 140,000, a point I mention to suggest the extensive availability of such beer halls) The combination of boredom and heavy off-post drinking would have exacerbated Robert, Jr.’s penchant for excessive alcohol consumption. During this period Robert, Jr., abused recreational drugs, as indicated by his visit to the U.S. Army’s hospital in Frankfurt, Germany. He was also diagnosed with hepatitis B, a viral infection that affects the liver. Because of this there is a higher risk of cirrhosis of the liver. Consequently, persons with Hepatitis B are strongly discouraged from drinking alcohol, an injunction Robert, Jr., is unlikely to have

heeded, given his pre-disposition for alcohol abuse and the heavy drinking culture in his environment. Put simply, the Army environment placed Robert, Jr., in a position with strong potential for serious damage to his physical health.

Nevertheless, Robert's performance of his military duties remained satisfactory, resulting in his promotion to Private First Class (E-3), indicating a normal progression of rank. In March, 1979, still posted at Darmstadt, Robert, Jr., reenlisted in the U.S. Army for an additional six years. In August 1980, Robert was posted to the 13th Signal Battalion, First Cavalry Division, Fort Hood Texas, located next to the city of Killeen, whose population in 1980 was 46,296. Off-post opportunities for recreation were thus limited, which once again made heavy drinking at local bars one of the few available activities. (Indeed, military posts are typically surrounded by bars that cater to the penchant of soldiers for heavy drinking). His MOS remained 13M.

On April 27, 1981 Robert received promotion to Sergeant (E-5), once again reflecting a normal progression of rank. However, just two days later he was informed that the Army intended to separate him from the service due to evidence of alcohol abuse, an unsurprising outcome given Robert's history of alcohol which the military environments of Darmstadt and Fort Hood would have exacerbated, given the heavy drinking cultures both posts. He was nonetheless recommended for an honorable discharge, as a reflection of his successful completion of his initial three-year term of enlistment and an overall satisfactory history of his performance of his military duties.

On June 17, 1981, Robert received an Honorable Discharge from the United States Army. He left the Army with a rank commensurate with a fully satisfactory performance of his military duties, underscored by the Army's Good Conduct Medal. Robert has taken great pride in his military service and while in prison would request and receive a Certificate of Recognition for his service during the Cold War.

As a military veteran of the Cold War, which by definition involved no combat, I often wondered what my modest military service added up to. While a visiting professor at the U.S. Army War College I asked a colonel about this. The colonel, a veteran of several tours of duty in the Iraq War, a conflict with an ambiguous outcome at best, replied, “Well, you won your war.” Simply by dint of being part of the U.S. armed forces that did their duty, soldiers like Sergeant Robert Van Hook, Jr. helped to place a continuous military pressure on the Soviet Union that eventually destroyed it.

Robert, Jr., paid no price in blood for his service to the United States. But this did not mean that he suffered no injury from that service. Given his prior history of drinking, which the military environments of his service surely exacerbated, it was almost inevitable that in January 1984 he began both inpatient and outpatient treatment for substance abuse/dependence that continued for a full year.

III. The Culture of Alcohol Use in the United States Army

Extensive alcohol use, with its concomitant problem of abuse, has been a pervasive element of American military culture. At the time that Robert Van Hook, Jr., was in the U.S. Army (1977-1981), the U.S. armed forces were just beginning to come to grips with this issue. The policy results of that effort were just beginning to emerge at the time that Van Hook was honorably discharged from the Army. They would have had scant effect on the military attitude toward alcohol use during the period of his service. The fact that, more than thirty years later, the armed forces continue to wrestle with the problem of extensive alcohol use and abuse suggests just how entrenched and intractable this issue is in American military culture.

Background

Throughout recorded history, a strong relationship has existed between military service and alcohol use. The United States armed

forces have been no exception. Indeed, for much of American military history, the use of alcohol by service personnel was not merely tolerated but actively condoned and even encouraged. Historical studies and cultural artifacts such as novels and film all point to a service culture that celebrated drinking, including heavy drinking—a subset of a broader American cultural stereotype that has long linked alcohol consumption with masculinity. A 1974 study of alcohol and narcotics use within the U.S. military population declared that heavy drinking and being able to “hold one’s liquor” served as tests “of suitability for the demanding masculine military role.”¹ A 2011 study of alcohol use in the U.S. military commented that “a common stereotype has been to characterize hard-fighting soldiers as hard-drinking soldiers.”²

The Extent of Alcohol Use in the Army, 1970-1983

Until the Vietnam War, the assumption that service personnel would drink, and drink heavily, was unexamined and taken for granted, reflecting the general American social acceptance of alcohol use. The discovery that Vietnam-era service personnel were also using illegal narcotics and hallucinogens, however, created a sense of crisis, and in the years after the conflict, the U.S. military began a systematic examination of the nature and extent of the drug problem within its ranks. This quickly led to the recognition that alcohol abuse posed the same hazards as drug use to good military order and discipline, so that the problem soon became re-framed as one of substance abuse.

¹ C.D. Bryant, “Olive-Drab Drunks and GI Junkies: Alcohol and Narcotic Addiction in the US Military,” in C.D. Bryant (ed.) *Deviant Behavior* (Chicago: Rand McNally, 1974), 129-145.

² Robert M. Bray and Michael R. Pemberton, “Substance Use in the Armed Forces,” in Pedro Luiz and Eric Strain, eds. *Lowinson and Ruiz’s Substance Abuse: A Comprehensive Textbook*, 5th ed. (Philadelphia: Lippincott, Williams and Wilkins, 2011), 926.

Among the early products to emerge from this examination was *Handbook for Alcohol and Drug Control Officers*, issued in February 1975 by the U.S. Army Research Institute for the Social and Behavioral Sciences. The handbook informed readers that alcohol abuse was a common and “very complex social and individual phenomenon” that was “extremely difficult to handle” and “a puzzle which has defeated many of those who have tried to solve it.” Estimates of problem drinking among Army personnel indicated that “it is a real and serious problem for the Army just as it is for the rest of society.”³

The handbook supplied statistics on Army personnel characterized as “problem drinkers;” that is to say, someone “whose drinking has caused adverse consequences in his personal life (problems with family or others, job difficulty, accidents, arrests, etc.) one or more times within a period of three years.” By this criterion, a survey of alcohol use within the Army indicated that 44 percent of junior enlisted men, 27 percent of senior enlisted men, 18 percent of junior officers, and 13 percent of senior officers were problem drinkers. (Van Hook would have fallen into the first category.) Another survey showed that in 1972-1973 28 percent of junior enlisted men had *increased* their consumption of alcohol after entering the Army. Only 21 percent had decreased it.⁴

Attempts by the armed forces to combat substance abuse in the late 1970s and early 1980s made considerable headway against drug abuse but markedly less progress against problem drinking. In a 1983 article on a new Pentagon survey of substance abuse in the military, the *New York Times* reported that that “drinking problems have increased significantly during the past two years. . . . One in eight of those responding to the voluntary questionnaire [22,000 service personnel] said they drink eight or more beers or hard alcoholic drinks per day at least once a week. And 18 percent of all military personnel experienced one or more ‘serious consequences’ of alcohol use, such as illness, arrest or broken marriages, during the past year.”

³ Handbook, I-1.

⁴ Handbook, I-2.

Evidence suggests that although by the mid-1970s the U.S. armed forces regarded substance abuse as a major problem, it was slow to acknowledge the role that its own military culture played in problem drinking. The handbook for alcohol and drug Abuse officers attributed much of the problem to boredom. Boredom was doubtless one factor. But given the sweep of the problem—almost half of junior enlisted personnel were not just drinkers but *problem* drinkers—boredom was plainly an incomplete explanation. In time, the armed forces would recognize that its culture “glamorized” alcohol consumption and adopted policies aimed at “de-glamorization” of alcohol. At the time of Van Hook’s discharge, the military was only tentatively beginning to acknowledge this influence. Thus, during the entire period of Van Hook’s enlistment, he was immersed in a military culture that took extensive alcohol use as a given.

Military Cultural Attitudes toward Alcohol Use

In the military, alcohol use signified something much important than a source of enjoyment or a refuge from boredom or personal problems. It indicated *belonging*. It was perceived as an important contributor to *esprit de corps*. And among males in the military, hard drinking was considered a sign of *masculinity*.

With regard to belonging, alcohol consumption was a prominent feature of initiations into elite units such as the Airborne or SEALs, and even into ordinary soldiering. When the present writer completed Army Initial Active Duty Training (Basic Combat Training and Advanced Individual Training) in December 1983, for example, his platoon drill sergeants smuggled two kegs of beer into the barracks explicitly as a way to show that they now considered their trainees to be full-fledged soldiers. A retired Army colonel who served in 1983-2013—after Van Hook’s term of service and at a time when the Army had intensified its effort to combat problem drinking—informed the author: “[Alcohol use] was encouraged by chains of command up to general

officer/installation commander level. On-post Clubs were booming, many commanders had mandatory club calls on Fridays, which encouraged drinking. Events at clubs included happy hours, strippers, etc. Made you want to stay to drink. Unit indoctrination ceremonies were steeped in tradition including guzzling drinks, mixing alcohol heavy grog, etc. If you didn't do it, you were not accepted."⁵

Alcohol use was even more prominent as a feature associated with camaraderie and unit cohesion. A retired Air Force officer reported that at Blytheville Air Force Base circa 1984, "the Wing Commander told the officers that he was proud that his bar bill at the Officer's Club was so high because that's how the club made most of its money, and he challenged the officers to have high club bills also."⁶ An Air Force enlisted man who served in 1975-1979 stated that while stationed in Hawaii in 1976-1977, in his unit, "most Friday's everyone kicked in a couple of dollars and 2-3 folks went to the Class 6 [then and now, the military maintains its own liquor stores known as "Class VI" facilities]. We closed up an hour or so early and drank beer in the parking lot; young troops listened to the war stories, some dating back to the Korean [War]. What would now be considered 'teambuilding' I guess."⁷

The perception that alcohol use operates as an important social lubricant continues to be strong even today. In 2014 on an Internet military discussion group, an Army lieutenant colonel asked, "Has the de-glamorization of alcohol hindered the development of camaraderie and team building efforts at the small unit level?" He offered that personally, he thought it had. Respondents agreed, and although one objected that unit cohesion depended on sound training rather than alcohol use, others believed that, as one respondent expressed it, "it has definitely reduced camaraderie. The de-glamorization program has gone to the point that rather than unwind and (gasp) have a beer or two with people from the unit who in much more serious situations they trust to

⁵ Michael Bolluyt, communication with the author.

⁶ Albert Mackey, communication with the author.

⁷ Gerald White, communication with the author.

look out for them, people instead go off by themselves, unsupervised, with people who often couldn't care less.”⁸

For males in the military, alcohol use also operated as evidence of masculinity. A Marine officer commissioned in 1985, stated that at the time he entered the Marine Corps “official policy was to de-glamorize alcohol, but the actual culture was still very much a ‘real men drink.’ I didn't drink, so I was acutely aware of this.”⁹ Among the responses in the discussion thread about the effect of alcohol de-glamorization, several considered the policy to be evidence that the military had “gone soft.” “The new Army is like watching a bunch of girl scout events,” said one respondent. Another wrote, “I enlisted in 66 into the almost ‘Brown boot army’. That was a drinking, cussing, woman chasing army.” He considered the officially encouraged (and often mandated) alcohol-related activities to be “great fun.” A third declared, “I soldiered when soldiers were soldiers. . . . When we changed from leading to managing soldiers we lost something. The same goes to when we tried to turn soldier into saints.”¹⁰

The biographical information I received when I began my work as a consultant states that on Robert's 9th birthday his father took him to a bar and they celebrated the occasion by splashing liquor in one another's faces. He grew up in an environment surrounded by people who abused alcohol and drugs. Thus, on one hand, entry into the Army placed Robert in a vastly more ordered, stable environment. But on the other, given the specific circumstances in which Robert served, coupled with a military

⁸ <https://www.rallypoint.com/answers/has-the-deglamorization-of-alcohol-hindered-the-development-of-camaraderie-and-team-building-efforts-at-the-small-unit-level> (Accessed August 31, 2016)

⁹ Scott Dawson, communication with the author.

¹⁰ ¹⁰ <https://www.rallypoint.com/answers/has-the-deglamorization-of-alcohol-hindered-the-development-of-camaraderie-and-team-building-efforts-at-the-small-unit-level> (Accessed August 31, 2016)

IV. Conclusion

drinking culture that actively celebrated heavy drinking, Robert's abuse of alcohol was certain to occur. Sergeant Robert Van Hook's service to his country was tragically, not escape from, but rather an extension of, his experience growing up.


Christopher Mark Grimsley

February 21st, 2017

EXHIBIT 66

BEFORE THE OHIO PAROLE BOARD

IN RE: ROBERT VAN HOOK

DECLARATION OF CARL L. SHIPP, JR.

My name is Carl L. Shipp, Jr. I am an adult resident of Helena, Montana.

1. I am a Licensed Addiction Counselor. I have been involved in substance abuse/substance dependence counseling since 1971. My employment as a drug and addiction counselor has included positions with state, county and federal government agencies. I served as an adjunct professor in the Department of Criminal Justice, University of Cincinnati, from 1998-2005. I am currently a Preceptor for Master of Social Work candidates at the University of Montana.

After my graduation from the University of Cincinnati in 1973, I worked as a prison social worker at the Lebanon Correctional Institution. My work focused on issues of substance abuse. I dealt with many prisoners who were veterans of the Vietnam War. Most of these veterans were first time offenders incarcerated for drug offenses.

From 1975 until 1977 I was a Drug Counselor employed by the Cincinnati Ohio Veteran's Affairs Medical Center, Department of Psychiatry. From 1981 until 2003 my job title was Coordinator, Opiate Substitution Services.

From 1978 through 1979 I worked for the Hamilton County Mental Health Services as the Assistant Director of a halfway house and also as a Social Worker the Hamilton County Juvenile Court.

From 1980 through 1985 I was employed as the Unit Director at the Millcreek Psychiatric Center for Children, Cincinnati, Ohio and with the Cincinnati area Council on Alcoholism, Driver Intervention Program as a Counselor/Educator.

From 1981 through 2003, I was employed by the Cincinnati, Ohio Veteran's Affairs Medical Center, Department of Psychiatry as the Coordinator, opiate Substitution Services.

From 2003 to 2005 I was employed by the Warren County, Ohio Learning Center as an Intervention Specialist, as a high school teacher for Severely Emotionally Disturbed students.

From 2005 through 2006 I was employed by Boyd Andrew Community services, Helena, Montana, as a Prevention Specialist/Drug and Alcohol Counselor.

From 2006-2011 I was employed by Benefis Health Care system, Helena, Montana as a Licensed Addiction Counselor and Soboxone Program Coordinator.

From 2001 through the present I have been employed as the Program Director at the Fort Harrison, Montana Veteran's Administration Hospital Substance Abuse Residential Rehabilitation Treatment Program.

2. From December 17, 1984 through February 2, 1985, I was Robert Van Hook's outpatient counselor at the Cincinnati VA Medical Center. Robert was seen for his alcohol abuse and resulting legal problems. Robert had a lengthy history of alcohol abuse. I recall that Robert would come to our sessions wearing military fatigues. Robert seemed troubled and distant in our sessions.
3. During the time I saw Robert, I was seeing as many as fifty patients per week at the VA. There was always inadequate staffing in the VA's mental health program. The VA was always in need of additional mental health counselors.

In 1984 there existed a three month treatment program for substance abuse/dependence patients at the Cincinnati VA. The program included emergency room treatment, detoxification, and group and individual therapy.

Robert's stay at the VA was limited to two weeks. He would have benefitted from inclusion in this longer program. The inadequacy of Robert's treatment was not unusual.

4. Robert Van Hook was a Cold War veteran. Following the Viet Nam War the military was held in very low respect and there were far fewer people in the military. There was little funding for the care and development of veterans during the time Robert was seen at the Cincinnati VA. At the VA Robert would have been viewed as an outlier to many of the other veterans coming for treatment because he had not seen combat. Robert would have felt this distinction.

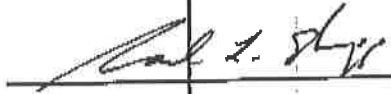
An appropriate treatment plan for Robert would have allowed me the time as his VA counselor to truly get to know him. Successful therapy occurs when the client truly engages in the therapeutic process. In my experience, only when I can spend adequate time with a client can I gain the client's trust. Two weeks is not adequate time to engender the trust necessary to engage in proper therapy.

5. Based on Robert's US Army records several things are clear. Robert did well in the Army, based on his commendations, his final promotion to an E 5 Sergeant's rank and his Honorable Discharge. After he reenlisted in Germany, and after his deployment to the Fort Hood, Texas, however, his alcohol abuse increased which was the precipitating factor for his discharge from the Army. This is not surprising because there was a culture of excessive drinking in the US Army. The Army's solution to Robert's alcohol abuse was to for medical staff to prescribe Antabuse, an emetic that causes a person to vomit when he drinks. There was no counseling by trained addiction therapists. Instead, Army medical personnel, fellow soldiers and officers advised him to stop drinking and to attend AA meetings. Given Robert's history and the nature of Robert's alcohol addiction, these measures were simply inadequate. Further, Robert's experience with such "therapy" left him skeptical of the post-service therapeutic services offered to him by the VA.

6. As an adjunct to long term therapy through a properly trained counselor in alcohol abuse, an addicted veteran such as Robert would have needed a strong support network of family and friends to help him maintain his sobriety. If the home and social environments of an addicted veteran do not support or even undermines the veteran's efforts to remain sober, then the chances for failure increase dramatically.
7. Cold War veterans, including Robert, also would have benefitted from vocational training and assistance from the VA. At the time the VA did not have vocational training and employment programs. Unlike WWII veterans who came home to full employment in a growing economy, Cold War veterans faced many challenges to finding gainful employment. They rejoined civilian society with no marketable skills. For example, Robert had training in radio communications but at the time of his discharge, there was little or no market for such skills.
8. There are currently programs available to US veterans which were not available in 1984. Recently established Veteran's Treatment Courts are tailored to veterans who leave the service with addictions and as a result of those addictions commit crimes. Operation Legal Help Ohio provides free legal assistance to low income veterans who face legal difficulties. There are job and resources fairs for veterans. One such occurred in Columbus, Ohio on November 2, 2016. Likewise the VA, while still facing problems, is under great scrutiny and therefore is improving mental health/addiction services treatment for veterans. Unfortunately for Robert Van Hook, none of this was available to him when he returned home from the service.
9. Based on my forty one years in the mental health field and my long tenure with the VA, I believe that Robert Van Hook was failed in dealing with his alcohol addiction first by the US Army and then by the VA. The consequences of these failures have been tragic for Robert and those harmed by his addictions.

Declaration of Carl L. Shipp, Jr.
Page 5

I declare, under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Carl L. Shipp, Jr.

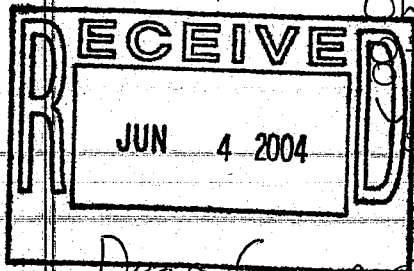
EXHIBIT 67

Robert Johnson Van Hook

Ohio State Penitentiary A186-347

878 Coitsville - Hubbard Road

Youngstown, Ohio 44505



Dear Congressman, Mr. Tim Ryan,

My name is, Robert J. Van Hook. I am a incarcerated, post-Vietnam-Cold War veteran.

Currently I am housed at the Ohio State Penitentiary in Youngstown, OH.

Mr. Ryan, I do not know who is, or would be my Veteran's Affairs, representative for this district. However, I believe that I may be entitled or eligible to receive the, National Defense Medal, for my $4\frac{1}{2}$ years of military service in the U.S. Army from 1977 to 1981, three years of which I spent in the 7th Army Europe while stationed in Germany.

Although I am a convicted felon, I am still a patriot and love my country. The morale amongst the U.S. prisoners is very low and anti-American. I believe that if I could be presented any due awards, citations or medals for my service, and that presentation showed on the institution video channel, that it would greatly lift and boost the morale of the inmates and bring some sense of -

(2)

- patriotism to them. We need patriotism amongst our prison population in America so that when most of these prisoners return to society one day, they will be better citizens.

Thank You for your time Mr. Ryan, and maybe you could run this thought by our dear President, George W. Bush, also.

Sincerely,

Robert J. Van Der

EXHIBIT 68

IN RE APPLICATION OF EXECUTIVE CLEMENCY FOR ROBERT VAN HOOK

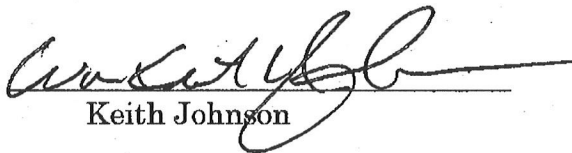
DECLARATION OF KEITH JOHNSON

1. My name is Keith Johnson. Bobby Van hook is my cousin. Bobby Van Hook spent a great deal of time with our family when he was growing up.
2. I continue to have regular contact with Bobby since he has been incarcerated. We email each other a lot and he makes things for my son and sends to him. I talk to Bobby not as much as I would like to only because of my daily schedule here. There is a lot going on. I talk to him two or three times a month maybe.
3. Bobby goes through his highs and lows and I try talking him through the lows. He gets really discouraged about his life everything.
4. We have talked about what's happened sometimes and I've heard him sit and cry and bawl his eyes out about it and wish that he could take things back - meaning what happened with David. Most of the time, we talk, we laugh, I get him to laugh, um, just stuff like that.
5. Little Bobby brings a lot to my life. It is hard to describe; it iss something that unless you're in my shoes, you're not going to understand. He makes me appreciate life. But he also reminds me who I am, he always reassures me how good my life is, how good of a person I really am and, out of my entire family between him and my other brother he's the only one that says "I love you." I don't hear that from anyone else in my family, not even my father.
6. I just want to say to the Board, and the Governor, Bobby was over and over failed by the very system put in place to protect him and others. Regardless of efforts of others to guide and direct him, the power and influence of his home life was far too horrible for him to overcome alone. His time in the armed forces was not enough to bring sufficient change to his life to overcome the deeper need for psychological intervention.
7. The reality of his home life is something that few individuals would have believed unless they saw it first-hand. He was badly neglected by Joyce, whose sole focus was her own overindulgence and her own vices. Joyce never stopped long enough to see the damage that the anger and the neglect and

the violent lifestyle had on Bobby even though those effects were plain to see to everyone else. It was just something more horrible.

8. For Bobby, this must have truly felt like - coming and going at all hours of the night, yelling, beating, smoking, and drinking - how everyone normal lived. But the lines between right and wrong were clearly blurred. At best the accumulation of circumstances, including alcohol and drugs would have been far more than an individual with a healthy psyche could overcome - and Bobby had no help in overcoming these circumstances.
9. I'm going to end this by asking that the governor and the parole board spare my brother Bobby's life. He really didn't have a say on how he was raised. He didn't know how to get out of it. All he knew was what was around him the majority of his life. His parents introduced him to drugs and I know drugs is probably not an excuse but drugs does have a part to do with it.
10. Bobby's really a good guy. Bobby would do anything for anyone. Bobby is loved. Despite his own family not being there behind him, we really are, I'm there for Bobby. I'll always be there for Bobby. I just ask that you please spare him. Bobby lives every day with what he did. It's hard on him. To sit in his cell and think and visualize every day what he has done - that is punishment enough. My heart does go out to the family but an eye for an eye doesn't make it right. Spare my brother please.

Signed


Keith Johnson

4/6/18
Date

EXHIBIT 69

BEFORE THE OHIO PAROLE BOARD

IN RE: ROBERT VAN HOOK

DECLARATION OF DANIEL H. BERENDS

My name is Daniel H. Berends. I am an adult resident of Cincinnati, Ohio.

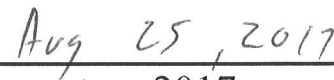
1. I am the nephew of Robert “Bobby” Van Hook. My mother is Trina Berends, Robert’s step-sister.
2. My family has a long record of military service in the United States armed forces.
3. My great-great grandfather, Thomas Salyers served in the Union Army’s 3rd Regiment, Kentucky Cavalry during the Civil War.
4. My grandfather Johnson Salyers served in the United States Army’s First Division in a military police company from 1920 until 1923.
5. My father, Donald Berends, Jr. served in the United States Marine Corps during the Vietnam War.
6. Several of my uncles also served in the U.S. Army and the Marine Corps.
7. I graduated from high school when I was eighteen and joined the United States Marine Corps. I wanted to serve my country the same way my family has served for centuries. I served five years in the Marine Corps.

8. After I was honorably discharged from the Marine Corps, I joined the United States Army.
9. I served in the U.S. Army for eight years. I was injured in an IED explosion while serving in Ramadi, Iraq during Operation Iraqi Freedom. I suffered a traumatic brain injury and was also diagnosed with PTSD from my experiences in Iraq. I am currently on disability as a result of my military service in Iraq.
10. My uncle Bobby Van Hook served in the United States Army during the Cold War era. It is my understanding that he received a U.S. Army Good Conduct medal and an honorable discharge from the U.S. Army, but that his separation from the Army was a result of his alcohol abuse.
11. Alcohol abuse has afflicted many members of my family. It does not surprise me that Bobby had bad consequences from abusing alcohol. In my opinion, alcoholism and drug addiction run like a river through my family.
12. I have visited with Bobby since he has been on Death Row. I enjoy my contact with Bobby and am proud of his service to his country. I do not want to see him executed.

I declare, under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Daniel H. Berends



August , 2017

EXHIBIT 70

IN RE APPLICATION OF EXECUTIVE CLEMENCY FOR ROBERT VAN HOOK

DECLARATION OF FRANCES MAY

1. My name is Frances May. I am from New Springfield, Ohio – near Youngstown. I have been a friend, regular correspondent with, and visitor to Robert Van Hook on death row for the last thirteen years.
2. I was a school teacher in Lisbon and Salem, Ohio before retiring after thirty-one years of teaching and joining my husband's family business operating the largest Hummel figurine gift shop in Ohio.
3. In the late 1990's we were given an opportunity to tour the new Ohio State Penitentiary in Youngstown before it opened. During the tour, we were told that the prison was for the "worst of the worst" and that most of the men there would seldom if ever get visits.
4. Some months later, the pastor of our church, Father Nicholas Shori became the Catholic chaplain at the prison. He asked if any parishioners would be willing to write to some inmates. I asked Father Shori for the names and addresses of a couple of prisoners so I could send them cards and write to them. Father Shori gave me a list of thirty names.
5. I started to send cards to the men on the list - one of whom was Robert Van Hook. Robert was one of the first to respond to my cards. He wrote me a nice letter and asked if I would consider visiting him. Father Shori had met Robert and told me that Robert was going through a rough time and that it would be good for Robert if I visited and that it might help him through the rough time.

6. When I started visiting with Robert he was still in level 5. I was very impressed with him on that first visit. He had not had many recent visits from family members because of the distance and expense to travel to Youngstown. His only regular visits were from one of the Ursuline nuns in Youngstown, Sister Therese Ann, who tried to visit him once a month or so.
7. Robert explained to me that when he first went to prison, his father cleaned himself up and came and visited and acted as if he were a different person than what he was when Robert was a child. Robert was appreciative of this belated support from his father but his father died soon after Robert went to prison.
8. When Robert was sent to Chillicothe, his mother visited him some before she moved out of state. His one sister from the Cincinnati area visited with him at Chillicothe a number of times with some of her family - until she moved out of state also. Other more distant family members were also able to visit at Chillicothe and still do. Robert has tried to maintain a strong relationship with his family through correspondence and telephone calls and visits.
9. The fact that Robert did not have regular visits with his family until he got to Chillicothe was certainly a hardship for him. Robert is very protective of his family, even though he had a difficult upbringing and his family did not always seem to respond to his needs as a child or protect him as a child. He does not really like it when people say anything negative about his family or about the fact that they were not visiting him at OSP.

10. From what Robert has told me and from things he has written about, I believe that he had a very rough childhood but Robert believes his childhood was relatively normal. Robert does have very good memories of the times he spent with his aunt and uncle and their family – some of his best memories are from those times on the farm. Since he was given very little guidance on how to get through life from either of his parents, most of the guidance he did get he got while living with his aunt and uncle on their farm.
11. When I first went to visit Robert, he was very pleased to have a new visitor. During those first visits, we prayed. We talked about the scripture and other religious matters. But eventually we got to be comfortable talking more about each other, our lives, what we liked, and a little bit of our backgrounds. And our relationship has just built since then, I feel almost like we are family.
12. Whenever we visit, we always do the rosary. From the very beginning I was just sort of blown away with Robert's prayers when we did the rosary. Robert would bring in a great deal of spiritual background. Robert would relate the decades to the scripture and talk about them. And he would talk about the daily scriptures. We would talk about what we had done and heard at mass the previous weeks.
13. When Robert was transferred to regular death row at OSP from level 5, just the last few months that he was up here, they were permitted to have mass in small groups of about 7 or 8 at a time. The first time Robert walked up to receive communion, he was just overwhelmed with that experience. He talked about that with me that evening - the fact that he could actually go and walk up and receive communion like a person in a regular church would. Robert had converted to Catholicism while at OSP so this was his first experience at receiving communion in what he perceived to be a real service.

14. The first time I visited Robert after death row was moved to Chillicothe was the first time that we were allowed to have a contact visit. When we walked into the visiting room, Robert just stood and bawled and bawled, crying as we hugged when we first went in. He said "I have not hugged anyone or touched anyone, I don't know, in close to 30 years." And so he was just so overwhelmed I think the first half hour, he went through a whole roll of toilet paper wiping his eyes. I think that even the CO's who were there were moved by his display of emotions.
15. Robert has enjoyed going to mass at Chillicothe and in fact he has attended both the Catholic and Protestant services. He often took his keyboard and played hymns at the services.
16. I do believe Robert's spirituality is sincere. I think he is very remorseful and is concerned about his own life after death. And I really do think that he wants to be a good person and do good for others. He tries to be good to others in the prison. He's not perfect, none of us are.
17. Robert has always been forthright with me. He has told me about the "thick file" of infractions he has incurred while in prison. He has never tried to imply that he was an honor prisoner. He has always been apologetic and remorseful about his behavior in prison.
18. There have been so many times when Robert has mentioned crocheting, making jewelry, or doing some other craft project for other people on the row. For example, when someone's mother died, he wanted to give them something as a way of showing comfort to that man. I think this shows his basic goodwill and interest in doing good which demonstrates his genuine spirituality.

19. I think that whatever he learned about spirituality as a child did come from the times he lived with his aunt and uncle and did not come from his parents. But I think most of his spirituality has developed since he went to prison. Only then did some of what he learned as a child come back to him and only then did he realize that maybe he better try to be closer to God and think about the hereafter, so to speak, and I think he's very sincere in that.
20. Following one of the court reversals of his sentence he was returned to the jail in Cincinnati. He told me that while there, he had access to a phone book and he looked up the names that were the same as the last name of David Self and he tried to call all of those people to try to apologize to them. I asked if he got in trouble for that. But he said "what difference does it make? I need to let them know that I'm sorry." and he did that on his own. So, I believe he is truly remorseful about what he has done and wants to apologize.
21. Anytime we have tried to help him out with a little money on his commissary or something like that, he always reciprocates in some way to us. He always shows he is thankful the best way he can, often by sending jewelry that he has made as well as scarves, caps, and even a set of leg warmers that he crocheted.
22. Over the years, he has sent us different paintings with a whole variety of topics. We've received some good ones that he says, "well maybe you might want to frame this and put this on your wall". He knows we have cats so he sent me a birthday present of a painting of a cat. He picks up on things that people say and tries to respond in his way. At Christmas, he always includes a little something for my sister, as well.

23. Robert sent me a crucifix that he had made. Earlier he had sent me a cross that was just the plain cross, but he had made a far more elaborate crucifix. I was very much impressed. I knew that it had been made out of popsicle sticks that he had glued together because I've seen some other projects that the men had done. But I asked him how could you make this corpus, which is, is just really so detailed. And he said it took him quite a while, but he worked - did it with fingernail clippers that he more or less carved it out with the fingernail clippers and then used the stain to stain the different parts of it. I took it to my current pastor who blessed it. My pastor was very much impressed with it, especially that there could be that much detail by someone who just worked with fingernail clippers to do it. So it meant a great deal to me.
24. Robert also crotchets. He has made us scarves and caps and a set of leg warmers. He has made caps for the homeless. Some of those he sent to me and I took them to our St. Vincent de Paul, and some of them were distributed down in Chillicothe. He is frustrated now because they are not getting crocheting supplies anymore at Chillicothe and that project has fallen through the cracks.
25. My husband David helped him get a used keyboard because Robert loved music. He did not know how to read music much, but David sent Robert books and helped Robert learn to read music and play the keyboard and the guitar over the phone.
26. The last Christmas that he was at OSP, our church took a group to sing carols at the prison as we always did at Christmas. While we were there, Robert said he wanted to play a song that he had written - a Christmas type song. And he played that and played his guitar, sang the song. And everyone was blown away. They were just amazed at that. And he was very, very well received.

27. Music has played a very important part of Robert's life. I think that comes from his childhood because his father was, I believe, a piano player. Even as a child, he would go with his father when his father was in a band. That's when he learned drumming. That is what got him started on music as an important part of his life.
28. Robert talks about his military background in that he often times refers to things that he did when he was in Germany. We have talked about places that he had been to - places that we had visited at other times. Robert talked about some of the things that he did in the Army and he shared how he got those medals that he had received. Some of them, he didn't even realize that he had qualified for. But he was very, very pleased and thrilled when he did receive them.
29. Robert was very proud of his military commitment. He did not realize that he had received an advancement in his rank until he got the paperwork afterward when he got his medals. He was very, very pleased with that. I think he enjoyed his time in the military, but at the same time, drugs and alcohol were a problem. And the drugs and alcohol were what brought about his leaving the military, even though his commanders said he did a very good job while he was there.
30. I have a box of medals that Robert received while he was in the military. He is very proud of what he earned. He built a box to put them in and he had one of the other inmates help him with the artwork that went on the front. His picture is on the front. His dog tags, and the various medals and badges that he received are neatly stored inside. And he crocheted the background so it was nice and soft. He also crocheted the case that he kept the box in.

31. When we went down to Chillicothe and he brought the box with his medals out, you could just tell how proud he was to stand there with this box and his medals. We got a picture of him holding his medals and his case in the visiting room. Even the CO's that were there came up and asked him about several of the medals, and some of the insignias. I think they shared that pride with him that he had.
32. Robert also explained that a number of the different relatives including his father and grandfather and his nephews had been in the military. I have not talked about the specifics, but it goes back several generations. Robert is very proud of his family's long time and ongoing service to the country.
33. I think Robert is always hoping for the best. I think the fact that he has had a couple of legal reversals of his case which were later reversed on further appeal and even though those did not go the way he wanted, there was always that hope that something would come along that would be good for him. He talks about things that he still would like to do in his life. He talks about things that he could do to help other people. I believe that despite all that he has been through, there is still a lot of hope there that something good will happen and he will not be executed.
34. I have enjoyed a good relationship with Robert over thirteen years. I believe that he is sincerely remorseful for the crime that he committed and for his behavior in prison. I believe that he is sincere in his spirituality and that he has compassion for others. I believe that he still has something to offer the world and that he is deserving of clemency.

5-8-18

Date

Frances May
Frances May
New Springfield, Ohio

EXHIBIT 71



Ministry to the Incarcerated

I am Sister Therese Ann Rich , an Ursuline Sister of Youngstown. I have been asked to add my voice to this clemency hearing and to share Mr Robert Van Hook's journey in the search for God and self.

I have companioned Mr Van Hook for the last 17 years and his journey has been circuitous as he tried to find his spiritual center. I became the Clergy of Record for Mr Van Hook at the request of Bishop Thomas Tobin. We were asked to accompany an inmate on their spiritual journey . Mr Van Hook and I talked about his interest in Buddhism, Christianity in general and in particular, Catholicism. Ultimately, his journey led him to seek entrance into the Catholic Church and our conversations lead Robert to a desire to live a more authentic Christian life. The desire for authentic Christian living lead him to heed an inner call to adopt a contemplative spirituality and lifestyle. He became a Lay Cistercian of the Monks of Gethsemane. As a Lay Cistercian of the Monks of Gethsemane, Robert has promised a life of prayer, contemplation and service.

My many years as a pastoral associate has taught me that the sign of true rehabilitation is watching an inmate deal with the complex emotion of remorse. There are times when remorse is too painful to touch so people do not touch it. In all my dealings (and there were many) I watched Robert not only touch remorse, but embrace it, own it, and carry it with him every day. Robert tried to reach out to the victim's family to express his remorse. Mr Van Hook recognizes the destruction his misguided beliefs and strives daily to show his remorse by his prayer, study, music, serving as a music minister at Mass and through his actions. He is not idle. His writing and manner reveal his spiritual transformation.

Governor Kasich, I know you will carefully review the clemency petition as you have done each time there is an execution. An act of mercy toward Mr. Robert Van Hook could be accomplished by changing his sentence death by incarceration, a very severe and appropriate punishment. I pray you will extend mercy where Mr. Van Hook did not.

Governor Kasich, you know this is a much bigger issue than any one case. You have faithfully carried out the death penalty law but you also have shown grace by extending mercy. You have the standing and compassion to lead Ohio in a different direction—a direction of grace and mercy and hope.

In the three years since the last execution in Ohio, there has not been a spike in violent crime. No prisoners on death row have escaped or killed anyone in prison, and the public is not clamoring for a resumption of executions. In fact, dangerous criminals are being held accountable and the public is being kept safe from them without resorting to executions. In Ohio and across the country, the use of the death penalty is trending downward.



Ministry to the Incarcerated

While guilt is not a question in Mr. Van Hook's case, mercy is. Please show mercy to Robert Van Hook by commuting his sentence.

Thank you,

Sister Therese Ann Rich

Ursuline Sisters of Youngstown

EXHIBIT 72

**IN RE: CLEMENCY APPLICATION FOR
ROBERT VAN HOOK**

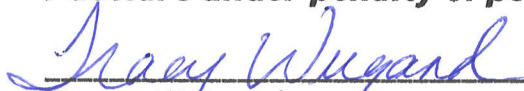
DECLARATION OF TRACEY WIEGAND

- 1. My name is Tracey Wiegand. I live in Morrow, Ohio. I am a cousin of Robert Van Hook.**
- 2. I am the youngest child of Marilyn and Earl Johnson. I am the sister of Randy Johnson, Sandy Wong and Keith Johnson.**
- 3. I am 10 years younger than Bobby/Robert, so was not around a much of the time when Bobby stayed with us while he was growing up. I did not witness any of the violence that occurred with his own family or any of the alcoholism that plagued his mother and father although I have heard stories about this from my family and from Bobby.**
- 4. Had Bobby been permitted to live permanently with my parents, He would have had a very different life than he had.**
- 5. My parents provided a safe haven not only for our immediate family but for Bobby and his sisters. My parents often took in other families from our church and community who were down on their luck and provided them a place to stay. There is a lighthouse in my parents' backyard that symbolizes my mother. She was a light for us all.**
- 6. My parents instilled good Christian values in all of us children. We all went to church as a family two or three times a week. We stayed out of trouble because my mom seemed to have a sixth sense, knowing when we did something wrong. My parents, especially my mom, were strict with all the children including my brothers and sister, but they were always fair in their treatment of all the children.**
- 7. My parents created a loving and positive environment for me and my siblings to grow up in. My father always had steady employment and worked on our farm and was active in our church. My siblings and I all have had successful lives. My sister Sandy has three college degrees. My brother Keith is in the real estate business in Las Vegas. My brother Randy owns his own business. I have two college**

loving and nurturing upbringing provided by my parents Marilyn and Earl Johnson.

8. My family has had a long history of serving in the military. My father served in the United States Army in the 1950's and was stationed in West Germany during the Cold War. Two of my own children have served in the military and I expect that my third child will also join in time. Bobby is very proud of the family history of military service and very proud of his own service in the military. We have discussed this on visits and he is proud that my children have also served, extending the family tradition of service.
9. I have had continuing contact with Bobby since he has been incarcerated. I visit him as frequently as I am able. We correspond frequently. I have a collection of his letter, and pictures he has asked me to preserve. Included in this collection are Bobby's army medals and awards. We discuss his military service on our visits as well as family events and developments. My family and I visited with Bobby at Christmas time last year because we felt that it was important for him to have company at the holidays.
10. My relationship to Bobby is important to me and my family. He is a family member who did not have much chance in life. He did not have the same benefit of a loving and nurturing upbringing that we had. While Bobby was exposed to my parents and the nurturing family for brief periods, he was never allowed to stay for very long.
11. Despite that Bobby does what he can to show that he cares for his family and does what he can to be part of the family. He sends us gifts that he has made and he continues to offer advice and he tries to keep up with all developments in our family. He is a part of our family. I realize that he has not had the best record on death row, but he is remorseful for what he has done and continues to strive to better behave better and to improve himself. He deserves a chance to continue to do so.

I declare under penalty of perjury that the foregoing is true and correct.


Tracey Weigand

Executed on May 9, 2018