



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

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DECISION

IN THE MATTER OF

WILLIAM GOFORTH

W41640

TYPE OF HEARING: Review Hearing after Revocation

DATE OF HEARING: November 29, 2011

DATE OF DECISION: May 18, 2012

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Sheila Dupre, Dr. Charlene Bonner, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: Re-Parole after 18 months in lower security at the Department of Correction. Inmate must successfully complete his period in lower security without disciplinary incident and in compliance with all Department of Correction recommendations for rehabilitation programs and activities. The decision is by a vote of 6-1.

I. STATEMENT OF THE CASE

Thomas Taylor was shot dead on July 12, 1984 on Geneva Avenue in Dorchester by William Goforth. The men were known to each other through their involvement in drug activity. After an ongoing argument between the two men over drug money, police reports state that Mr. Goforth, carrying two hand guns, confronted Mr. Taylor in front of a residence. Mr. Taylor ran, as Mr. Goforth chased him into an area in the rear of Geneva Avenue. Mr. Goforth reportedly fired one shot. Mr. Taylor dove under a car and Mr. Goforth fired multiple shots striking and killing Mr. Taylor. Mr. Goforth fled the area after the shooting. He was identified by several witnesses as the shooter and arrested weeks later on an unrelated charge.

According to Mr. Goforth, it was he who owed Mr. Taylor money, and was unable to pay the debt. After being threatened by Mr. Taylor to pay his debt, he began to carry a gun for his own protection. Mr. Goforth does not deny that he was the aggressor the day he confronted and shot Mr. Taylor. Mr. Goforth however, does dispute some of the reported facts. He stated that after confronting Mr. Taylor, he saw him reaching for what he assumed was a gun and he began to fire, unloading all the bullets in his gun. Mr. Goforth insists he was not carrying two guns and that he was unsure if any of his bullets hit Mr. Taylor until the chase ended and Mr. Taylor was seen crawling under a car with blood on his leg. He later learned that Mr. Taylor had died.

Mr. Goforth was arrested approximately two weeks later in Brockton for another firearms charge. He was subsequently charged and convicted of second degree murder and received a life sentence with the possibility of parole, and a 3 to 5 year concurrent sentence for unlawfully carrying a firearm.

II. PAROLE HISTORY

Mr. Goforth's initial parole eligibility date was July 24, 2000. He was denied parole with a 3 year review. On his next eligibility date of July 8, 2003 he received a parole reserve to home after 6 months in pre-release. The board cited his 18 years of incarceration, program involvement, employment as a Cadre at Bridgewater State Hospital, and strong family support among the reasons for his parole. He then received an initial rescission for having money deposited into his account by an unauthorized person. The rescission was ultimately not affirmed, but the process prolonged his parole date. He was eventually able to meet the requirements of parole through pre-release and was paroled on July 26, 2006.

Mr. Goforth was returned to MCI Concord on May 11, 2009 after being charged for assault and battery. The charges were later dismissed and the revocation was not affirmed. Mr. Goforth was subsequently released to his mother's home. This period of parole involved some infractions. Mr. Goforth was not consistently residing at his approved home plan, and he received a graduated sanction for testing positive for marijuana use. Mr. Goforth transferred his parole to Region 2 so that he could reside with his girlfriend. On November 30, 2009 Mr. Goforth tested positive for opiates, and despite his insistence that he was prescribed pain medication for injuries suffered in a car accident several weeks prior, he did not provide the supporting medical documentation in a timely manner. After several requests from parole to cooperate with the process of releasing his medical records, Mr. Goforth was not compliant and his parole was provisionally revoked on December 11, 2009. Mr. Goforth did eventually provide the requested medical documentation, and stated that he was unable to do so in a timely manner due to logistics within the hospital system and gaining access to his records. On his next review hearing of May 25, 2010, the board voted to reserve Mr. Goforth to a long term residential treatment program with additional conditions.

On 3/9/2011 Mr. Goforth was again returned to custody at MCI Cedar Junction for alleged violations. Such violations included that on or about 1/10/11 a complaint was reported to parole alleging the theft of a motor vehicle and personal property by Mr. Goforth. The owner of the vehicle and property was his girlfriend. The property, which was in the vehicle, that was alleged to have been taken, was his girlfriend's purse. Mr. Goforth's girlfriend did not file a criminal complaint with the police department, but rather reported all above concerns to Parole. She (Mr. Goforth's girlfriend) reports she called parole the next day to state that her car and belongings were returned, and there was no theft. On the day of the alleged incident that included theft of a motor vehicle, Mr. Goforth was also violated for failing to notify the program staff of his itinerary regarding his granted pass. During this parole permit, it should also be

noted that Mr. Goforth received graduated sanctions for a positive drug screen, and failure to pay supervision fees in a timely manner.

Prior to his return, Mr. Goforth had been attending school for a career in waste management, and was working for a furniture store where he received positive recommendations. He was compliant with all parole conditions with the exception of those noted above.

III. INSTITUTIONAL ADJUSTMENT

Mr. Goforth's overall institutional adjustment was met with difficulties early in his incarceration. He had incurred numerous disciplinary reports and had several transfers to higher custody. His institutional behavior and investment in rehabilitation markedly improved in 2000, earning him a transfer to Bridgewater State Hospital for a Cadre position. Due to his positive adjustment, demonstrated investment in rehabilitation, employment, and education (received his GED), Mr. Goforth earned a conditional parole, transfer to Boston Pre-release and eventual release into the community. Since his most recent return to custody, Mr. Goforth has demonstrated excellent institutional behavior, and has attempted to engage in continued programming; however, he remains on the waiting list or is ineligible for programs.

IV. DECISION

Mr. Goforth's parole history has not been without incident; however, after a meticulous discussion and examination of all violations at the hearing, the Parole Board concluded that Mr. Goforth responded with credible explanations, supported by documents and witness testimony, to substantiate his claims, which were also supported by witness testimony. That said, he admits to his flawed judgment and poor decision making at times that contributed to his returns to custody.

Supporters who gave testimony at the hearing corroborated his positive efforts, strides and issues with his girlfriend that resulted in this return to custody. Mr. Goforth's girlfriend testified that her calls to parole were impulsive and a result of a misunderstanding. Her initial claims of theft lack merit. Mr. Goforth, by all accounts, appeared to be working very hard in his occupation for a reputable company, and his employer / owner testified that Mr. Goforth was thoughtful, reliable, and went beyond required expectations. His employer entrusted Mr. Goforth with transporting the employer's family members and other responsibilities, stating that he considered Mr. Goforth to be an individual who could be trusted and relied upon, and that he held him in the highest regard both personally and professionally. He assured the Parole Board that Mr. Goforth will have employment upon his release. Other supporters and family members provided similar testimony that illustrated Mr. Goforth's positive work ethic, commitment to living an honest, law abiding life, and the continued support he receives from those in his family and community.

In considering this request for re-parole, the current Board recognizes the decision of a previous Parole Board in May 2010 that Mr. Goforth met the legal standard for parole and he was released on that basis. Since that release, Mr. Goforth did reasonably well on parole except for the dispute with his girlfriend that led to his revocation. Mr. Goforth has been re-incarcerated 14 months for that violation which is sufficient punishment for activity that did not involve a new criminal offense.

In light of all of the above, it is the decision of the parole board that Mr. Goforth's release is not incompatible with the welfare of society and that it is reasonably probable that he would not commit a new offense if released. As such, the board votes to grant him a re-parole to an approved home plan following successful completion of 18 months in lower security where he can engage in further rehabilitation and transition to supervision in the community. Lower security will eventually lead to pre-release; the pre-release setting will allow Mr. Goforth to resume his employment while under close supervision and confinement when he is not at work. Mr. Goforth has employment opportunities and a positive support system to enable him to re-engage in society successfully. Roger Michel provides the dissent in this 5-1 vote. Mr. Michel would deny the petition, with a review in two years, because the inmate "takes minimal responsibility for an execution-style offense."

The Parole Board advises Mr. Goforth that he needs to succeed in all aspects of his parole performance. The skills and discipline that have given him extraordinary employment success need to carry through to the other areas of his life to prevent drug relapse and volatile relationship discord. Mr. Goforth has demonstrated that he does not currently present a risk of violence because of his rehabilitation. He also needs to demonstrate that he can reliably follow all the conditions of parole with special attention paid to sobriety and domestic tranquility.

SPECIAL CONDITIONS: Re-parole to approved home plan after 18 months in lower security at the Department of Correction; complete the remaining period of incarceration without disciplinary incident and in compliance with all Department of Correction recommendations for rehabilitative programming and activities; no drug use; no alcohol use; substance abuse evaluation by Parole's substance abuse counselor with requirement to follow any recommended treatment plan; AA or NA at least three times per week; curfew between 10:00 p.m. and 6:00 a.m. (parole officer has discretion to adjust hours for employment purposes); complete an anger management program or enter counseling for 3 to 6 months to address anger management and relationship issues (parole officer to select appropriate program or counseling); no contact with victim's family.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.


Caitlin E. Casey, Chief of Staff

5/18/12
Date