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Josh Wall
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DECISION

IN THE MATTER OF

ALAN GREENMAN

W45495

TYPE OF HEARING: Review Hearing

DATE OF HEARING: September 11, 2012

DATE OF DECISION: December 14, 2012

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

DECISION OF THE BOARD: Parole is denied with a review in five years. The decision is unanimous.

I. STATEMENT OF THE CASE

Alan Greenman, at age 31, shot Marshall Taylor, age 40, to death at approximately 3:00 a.m. on October 30, 1987 in Everett. On October 29 at approximately 10:45 p.m., Alan Greenman left his job near Logan Airport and drove by his ex-wife's home in East Boston because he suspected that a man was visiting. After seeing Taylor's car at the home, he loaded a rifle that he had placed in his vehicle and continued to drive around the block waiting for the victim to leave the home. When Greenman observed Mr. Taylor leaving the home and get into his car, he followed Taylor. Once at Taylor's residence in Everett, Greenman confronted Taylor in a jealous rage. Taylor tried repeatedly to calm down Greenman and suggested that Greenman come into his home so they could talk. Instead, Greenman raised the loaded rifle to the victim. While Taylor begged for his life, stating, "Please don't shoot, I have a wife and kids too," Greenman hit him in the head with the butt of the rifle and shot him two times; once in the chest and once in the face.

On November 7, 1988, Greenman pled guilty to the second-degree murder of Mr. Taylor and received a life sentence.

II. PAROLE HEARING ON SEPTEMBER 11, 2012

At his hearing Greenman, age 56, did not make an opening statement advising, "I don't know what say." Upon being questioned by the Board, Greenman stated that he fully accepts responsibility for the death of Mr. Taylor. He advised that although the Board's 2007 decision noted that he did not take full responsibility for his actions and did not address the causative factors of his criminal behavior, he has addressed these issues via programming. The Board expressed concerns about Greenman's understanding about prior parole denials, particularly his insistence that he has accepted responsibility for the murder of Mr. Taylor. Greenman continued to blame the victim and his ex-wife for his actions, stating, "I felt Mr. Taylor posed a threat," "I was under the impression that he had a weapon because of what my wife said," and "I hit him to get him to back up and stay away."

The Parole Board has, in its previous decisions, relied on Greenman's inability to accurately describe the murder as evidence of his lack of rehabilitation. His story has combined self-defense and accident in an effort to divert responsibility away from himself. He has said that he had the rifle because he feared for his life and the rifle discharged only because the victim grabbed it. This story of self-defense and accident conflicts with the evidence and the murder conviction.

At this hearing, Greenman finally admitted that he lied previously when he said the victim grabbed the gun. Greenman claimed at his prior parole hearing that the gun went off because the victim grabbed it. For the first time he admitted that he fired intentionally.

Greenman continues to maintain falsely that he was in danger and acted in self-defense. Greenman armed himself, waited outside his ex-wife's house for the victim to emerge, followed the victim home, surprised the victim by threatening him with the rifle, ignored the victim's efforts to calm him down, and shot the victim twice even though Taylor expressed his desire to have a peaceful conversation.

Greenman refuses to admit that he acted out of anger and vengeance rather than fear. Parole Board members explained to Greenman at the hearing that for 25 years he has chosen to deny anger, vengeance, and violence rather than work towards rehabilitation.

Greenman had a poor institutional record for the first 15 years of incarceration. He accumulated 34 disciplinary reports; he was an insolent and uncooperative inmate; the disciplinary record does not show any fighting or assaults. He was returned to higher custody three times due to problems he created with staff. Most notably he was insolent and threatening towards a female institutional parole officer in 2002. The incident was serious enough to require Greenman's return to Souza-Baranowski Correctional Center. The inmate's behavior is much improved over the last decade; his last disciplinary report was in 2002. By way of explaining his poor conduct, Greenman said: "for the first 15 years I had a chip on my shoulder; I was tired of people telling me what to do; the Department of Correction pushed my buttons and unleashed a monster."

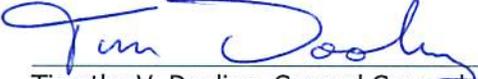
The Board noted Greenman's limited institutional programming, particularly in the area of violence reduction. He has not completed a program since 2007. In his 25 years of incarceration Greenman has completed the following programs: violence reduction program (2002), Correctional Recovery Academy (2006), Introduction to Treatment (2003), and Transitional Program (2007). Greenman is currently not participating in any programs and is not signed up for any programs; he said he has chosen to work at the optical shop at NCCI-Gardner since his 2007 hearing. He said that he attends the Native American Circle.

The inmate's brother, son and pastor testified in support of parole. Mr. Taylor's sister, nephew and Middlesex County Assistant District Attorney Jessica Noble testified in opposition to parole. A letter from the victim's daughter in opposition to parole was read to the Board. Taylor was a middle school biology teacher. His family members described him as "a gentle, kind, non-violent person." He was nearing the end of a divorce proceeding and had only recently met Mr. Greenman's ex-wife. The family said that Taylor had a new business and Mrs. Greenman had assisted him with bookkeeping.

III. DECISION

This was Greenman's third parole hearing. The prior Board decisions reported that Greenman did not take full responsibility for his actions and did not address the causative factors of his criminal behavior. These concerns remain as evidenced by his self-serving version of the murder and lack of programming since his 2007 hearing. Mr. Greenman continues to deny rather than address his anger and violent conduct. This inmate has made the decision to avoid rehabilitative programming, thus giving no indication that he is addressing the causative factors of his criminal behavior. Without evidence of rehabilitation, the Board concludes that it is reasonably probable that Greenman would re-offend if released on parole and his release is incompatible with the welfare of society. The review will be in five years. The Board encourages the inmate to participate in rehabilitative programs.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing. This signature does not indicate authorship of the decision.



Timothy V. Dooling, General Counsel

12/14/12

Date