



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

Josh Wall
Chairman

DECISION

IN THE MATTER OF

FRANK LANZA

W44852

TYPE OF HEARING: Review Hearing

DATE OF HEARING: October 11, 2012

DATE OF DECISION: November 7, 2012

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Dr. Charlene Bonner, Sheila 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

Frank Lanza was a 41-year-old drug addict who lived in Revere. He had on at least one previous occasion bought drugs from a person at the third floor apartment at 17 Williams Street in Lynn. Lanza ran out of drugs on the night of the murder and planned to rob the occupants of the apartment of drugs and money. At approximately 3:00 a.m. on October 23, 1987, Lanza broke into the third floor apartment. He wore a Halloween mask and was armed with a knife. Nancy Ballum was asleep in the apartment with her sister-in-law and five children. Ms. Ballum woke up and was face-to-face with an attacker wearing a mask and threatening to stab her with a large knife. Lanza grabbed Ms. Ballum by the neck, threw her down on a bed, put the knife in her face, and demanded money and cocaine. Ms. Ballum gave him money as Lanza continued to menace her with the knife. To protect herself from being stabbed Ms. Ballum grabbed the knife blade, struggled with Lanza, and screamed. During the struggle she was able to pull off Lanza's mask and see his face.

James Paradis heard the screams and ran upstairs from his second-floor apartment to help Ms. Ballum. He confronted Lanza as he fled from the apartment with the knife. Lanza stabbed James Paradis twice in the chest and ran from the building. James Paradis died from the two stab wounds; he was 28. Police arrested Frank Lanza on October 26.

The inmate has a violent criminal record with a prior parole revocation due to new violent crimes. Lanza committed an armed robbery with a gun in Revere in 1974; he received a 7 to 10 year sentence. While pointing a gun at a gas station attendant, Lanza said, "Give me all your money or I will blow a hole in you." He was released on parole in August 1979 but was returned to custody in October 1979 because he committed armed robberies in Boston and Brookline. For those incidents he was convicted of two armed robberies and an armed assault with intent to rob, and was sentenced to three concurrent terms of 5 to 7 years. While serving those sentences, Lanza escaped from a program and committed another armed robbery. He was convicted of that armed robbery and sentenced to serve 2.5 to 3 years. During these state prison sentences, Lanza received at least 18 disciplinary reports, 16 of them for drug use. After release from that state prison sentence, Lanza continued his criminal behavior with larceny and breaking and entering offenses that resulted in house of corrections sentences. Including the armed robbery of Nancy Ballum, Lanza has been convicted of five armed robberies and one armed assault with intent to rob.

II. PAROLE HEARING ON OCTOBER 11, 2012

Frank Lanza appeared for his fourth parole hearing after 25 years of incarceration. In denying parole three times, the Parole Board has consistently noted that Lanza is a career criminal who is not remorseful for the murder and has not used programs to gain insight into the causes of his criminal behavior. The Board has also described a continuing problem with anger that Lanza displayed in his testimony at previous hearings.

The inmate has an average disciplinary record. He has 22 disciplinary reports. After his 2007 parole hearing he received five disciplinary reports before his 2009 hearing, which is an indication of an inmate who is not ready for community supervision. Since the 2009 hearing he has two new disciplinary reports for non-violent transgressions. He has an average record of program participation that includes completion of the Correctional Recovery Academy and its Graduate Maintenance Program in 2008. He has not participated in rehabilitative programs since his 2009 hearing. He does not work and has very little employment during his 25 years in prison. He said he has money from a "family trust fund," so he does not want to take an employment opportunity from another inmate. He has a mental health history of panic attacks, anxiety and depression.

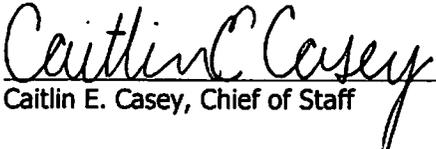
Lanza's parole petition has several weak areas that require inquiry and scrutiny. When he was questioned about weak areas, Lanza became argumentative and hostile. He resented the questions and failed to provide information. He refused to discuss candidly his criminal record, whether he planned to work if paroled, his "family trust fund" and its role in his parole plan, his refusal to allow the Board access to his medical records, his substance abuse history, and the reasons for his violent history. For example, when asked if he committed other violent crimes, he said, "What's on my record is on my record; whatever's on my record is what I did." When asked, he claimed he got caught for every crime he committed. Based on Lanza's record of drug use and violence, it is a simple conclusion that he was not forthcoming in discussing his other criminal activity and the level of violence and harm to the community.

Five people spoke in opposition to parole, including James Paradis' brother, wife and two stepsons. The witnesses recounted the bravery of James Paradis in seeking to help a neighbor who screamed in the middle of the night. The two stepsons were age seven and age five at the time of the murder; they saw their father stumble back into their apartment and collapse as he bled to death. The victim's brother told the Board that at the first two parole hearings Lanza had so little remorse that he did not apologize for the murder; he also noted that the inmate was "asked the questions that needed to be answered and he could not answer them today." Essex Assistant District Attorney Elin Graydon spoke in opposition to parole. Lynn Police Chief Kevin Coppinger submitted a letter of opposition. Three of the inmate's relatives spoke in support of parole.

III. DECISION

Frank Lanza murdered James Paradis, a citizen who acted bravely in the middle of the night to protect his neighbor. Lanza had a significant criminal history before the murder. Most notably, he received parole on an armed robbery and within weeks violated parole by committing three armed robberies. While serving the new sentences, he escaped and committed another armed robbery. As one Board Member said at the parole hearing, "You have offended violently in the community at every opportunity; incarceration is the only thing that stops you." Lanza has demonstrated that he is a very dangerous person who needs to reform his character, criminal thinking, and conduct. At his parole hearing, instead of reform the inmate displayed anger, hostility, and resentment. Frank Lanza is not rehabilitated: his is likely to re-offend if released and his release is not compatible with the welfare of society. Accordingly, parole is denied. Lanza needs to re-think his plan for reform and chart a different path that addresses his anger and resentment. That effort will take a considerable time and thus a review in five years is appropriate.

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

11/7/12
Date