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Josh Wall
Chairman

DECISION

IN THE MATTER OF

DAVID STETSON

W37628

TYPE OF HEARING: Review Hearing after Revocation

DATE OF HEARING: August 30, 2011

DATE OF DECISION: September 14, 2012

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

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

I. STATEMENT OF THE CASE

David Stetson, at age 26, assaulted and beat Phillip McGee, age 53, with a baseball bat at about midnight on February 10, 1979 in Quincy. Mr. McGee suffered two broken legs, a skull fracture, blood clots in his lungs, and blood clots in his pulmonary artery. McGee succumbed to his injuries sixteen days later. Stetson was apprehended in Albuquerque, New Mexico on December 24, 1979. At trial, Stetson was convicted of second-degree murder. The Supreme Judicial Court affirmed Stetson's conviction in 1981.

Stetson's criminal history includes convictions for breaking and entering in the nighttime and carrying a dangerous weapon.

II. PAROLE HISTORY

David Stetson's request for parole was denied after hearings in 1994, 1996, and 1998. He was granted parole in 1999 after his fourth hearing. He completed the Gavin House residential program and obtained work as a laborer. He was injured on the job in 2001 which began a long period of medical treatment and pain medication. He married in 2002.

Stetson's behavior began to deteriorate in 2009. He received a final warning from the Parole Board in 2009 for abusing his medication. He continued abusing his medication, began to act erratically, and threatened to kill his wife and two children. He threatened his wife by talking about poisoning her, stabbing her, and blowing up the house. She obtained a restraining order, and the Parole Board returned Stetson to custody and revoked his parole in 2010.

III. PAROLE HEARING ON AUGUST 30, 2011

Stetson reiterated that he could not recall the details of the murder because he was under the influence of valium, percocet, beer, and Jack Daniels.

The inmate is now 53 and has been re-incarcerated on revocation for approximately 17 months. He is currently held at Old Colony Correctional Facility. He has received four disciplinary reports since his return. Prior to his parole in 2000, he completed substance abuse and violence reduction programs. Since his return to custody, he has not participated in programming stating, "it hurts too much to sit for long periods of time." In July 2010, Stetson was transferred to Bridgewater State Hospital as he was exhibiting threatening and psychotic behavior and refusing to take his medication.

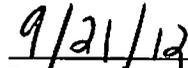
No one testified in support of parole. Norfolk Assistant District Attorney Marguerite Grant submitted a letter in opposition.

IV. DECISION

David Stetson was returned to custody as a parole violator after his abuse of prescription medication contributed to his display of erratic behavior resulting in his ex-wife seeking a restraining order against him for repeated serious threats of bodily harm. Five months prior to his return to custody, Stetson received a final warning from the Parole Board in an attempt to correct Stetson's behavior. Since his return to custody, Stetson has not addressed his substance abuse, mental health and behavioral issues. Given these unresolved issues, Stetson presents a considerable risk for unstable and violent behavior. He would likely re-offend if released and his release is not compatible with the welfare of society. Accordingly, parole is denied with a review in three years.

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


Date