



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

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DECISION

IN THE MATTER OF

RAYMOND CREDLE

W38013

TYPE OF HEARING: Review Hearing

DATE OF HEARING: October 8, 2013

DATE OF DECISION: November 15, 2013

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, institutional record, the testimony of the inmate at the hearing, the views of the public as expressed at the hearing or in written submissions to the board, we conclude by a unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in five years.

I.STATEMENT OF THE CASE

On January 23, 1981, Mr. Credle plead guilty in Hampden Superior Court to second degree murder and was sentenced to life imprisonment.

The facts of Mr. Credle's offense are as follows. On September 27, 1980, 27-year-old Marjorie Vanderburgh ran screaming from her apartment in Springfield engulfed in flames. She was able to reach her neighbor's porch before collapsing. She died as a result of the fire. During the subsequent investigation, witnesses told police that they had heard Ms. Vanderburgh and her boyfriend, Raymond Credle, arguing before the incident. Additionally, they stated that, when she emerged from her apartment they could see Mr. Credle inside. A search of Ms. Vanderburgh's apartment showed two containers partially filled with gasoline, and the couch was saturated with gasoline. During questioning, Mr. Credle admitted to throwing gasoline on Ms. Vanderburgh.

II. PAROLE HEARING ON OCTOBER 8, 2013

This was Mr. Credle's fifth appearance before the Board. He has received the maximum time allotted for a denial from the Parole Board since 1998, based on his lack of insight, a failure to provide a credible account of the offense, and a lack of participation in rehabilitation.

During this hearing, the Parole Board asked Mr. Credle if he understood why he has received consistent denials for his request for parole. Mr. Credle responded in a manner that was confusing and difficult to assess. He initially stated that he did not know why he has consistently been denied parole, but after continued questioning, he appeared to understand that he has failed to change anything in terms of his rehabilitation and presentation to the Board. Mr. Credle acknowledged that he has not engaged in any further rehabilitation, and that he has given various accounts of the murder. The Board reviewed Mr. Credle's past versions that he has given at various times since the initial investigation and throughout his subsequent parole hearings. The Board also questioned Mr. Credle as to the most pertinent facts of the case which included his intent at the time and what his actions were following lighting Ms. Vanderburgh on fire. Mr. Credle's responses were inconsistent with the established facts of the case. Although he admitted throwing gasoline on the victim, he denied lighting Ms. Vanderburgh on fire and insisted that she must have run by the stove. He insisted that he left the apartment and did not actually see her on fire. Mr. Credle also described his relationship with Ms. Vanderburgh as being unremarkable prior to the murder. While he admitted that they argued, he denied being abusive to her either emotionally or physically. This is not consistent with witness testimony, including testimony provided by the victim's family.

Mr. Credle denied any need for participation in numerous recommended programs. As the hearing progressed, the Board inquired more about his mental health and whether his increased substance abuse and aggression was directly related to trauma he suffered while serving in Vietnam. Mr. Credle did share a detailed history of his abuse of opiates and alcohol that began in Vietnam and what appeared to be significant decompensation in his emotional stability and overall ability to function when he returned from Vietnam. He admittedly never received appropriate mental health and substance abuse treatment upon his return from Vietnam; however, he has not availed himself of treatment during his incarceration that may have been beneficial. He was unable to provide a rational explanation for his consistent reluctance to engage in programming that has been recommended.

The Parole Board emphasized concern that Mr. Credle has decided to ignore the Board's past recommendations, and he has passively resisted any real investment in his rehabilitation. Mr. Credle presented as detached and disengaged from direct dialogue that challenged his recitation of the facts and his lack of investment in his own rehabilitation.

Mr. Credle's brother, Mr. Gibbs spoke in support of his parole. Mr. Gibbs is retired after a successful 26 years in the military. He provided some insight into Mr. Credle's history, including the probable post-traumatic stress disorder that he suffered as a result of his service in Vietnam, and his own observations regarding his past and current level of functioning. Mr. Gibbs stated that he would continue to support his brother and would also encourage him to engage in treatment.

A letter of opposition was submitted by Carolyn Maldonado, the daughter of the victim. The letter was read by Victim Service Advocate Jennifer McDonald. Ms. Maldonado's statement included her continued opposition for Mr. Credle's parole release, primarily based on the violence that her mother endured within the relationship, the manner in which she died, and the affects her death has had on those who knew and loved her. Also speaking in opposition was Hampden Assistant District Attorney Dianne Dillon. ADA Dillon cited the inconsistent and incredulous testimony provided by Mr. Credle, as well as his lack of investment in rehabilitation.

III. DECISION

Raymond Credle has consistently failed to follow the Parole Board's recommendations for rehabilitation. It is unclear if Mr. Credle is unwilling to participate in such rehabilitation because he does not feel he needs it, or if he has resigned himself to living the remainder of his life in prison. The Parole Board again outlined concerns regarding his incredulous account of the most pertinent details of the murder, which speaks directly to what Mr. Credle's intentions were and what he did after he lit Ms. Vanderburgh on fire. The Parole Board also explored the likely connection between Mr. Credle's conduct and his untreated mental health and substance abuse issues stemming from Vietnam. While the Board expressed compassion for Mr. Credle, the Board also expressed concern that Mr. Credle has wasted a significant amount of time within the Department of Correction resisting participation in necessary treatment.

The standard for parole is set out in 120 C.M.R. 300.04, which provides that "Parole board members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such an offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." Applying that appropriately high standard, it is the unanimous decision of the parole board that Mr. Credle is not a suitable candidate for parole. The review will be in five years, during which time Mr. Credle is encouraged to accept the opportunities available for treatment and to invest fully in his rehabilitation.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing. Pursuant to G.L. c. 127, § 130, I further certify that all voting Board Members have reviewed the applicant's entire criminal record. This signature does not indicate authorship of the decision.



Josh Wall, Chairman



Date