



The Commonwealth of Massachusetts  
Executive Office of Public Safety



PAROLE BOARD

12 Mercer Road  
Natick, Massachusetts 01760

Deval L. Patrick  
Governor

Timothy P. Murray  
Lieutenant Governor

Andrea J. Cabral  
Secretary

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

Josh Wall  
Chairman

**DECISION**

**IN THE MATTER OF**

**DONALD HOUSTON**

**W56800**

**TYPE OF HEARING:** Revocation Review Hearing

**DATE OF HEARING:** September 20, 2011

**DATE OF DECISION:** April 23, 2013<sup>1</sup>

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

**DECISION OF THE BOARD:** After careful consideration of all relevant facts, including the nature of the underlying offense, criminal record, institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing or in writing, we conclude by unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in two years. The next hearing will be in September of 2013.

**I. STATEMENT OF THE CASE**

Donald Houston appeared before the Parole Board on September 20, 2011, as a parole violator. He was paroled on March 20, 2009, but was returned to custody on June 16, 2009, because he had tested positive for opiates twice and was discharged from the Bridge House Program. He was re-paroled on December 17, 2009, and was returned to custody on May 12, 2010, because he had tested positive for cocaine and admitted to using the drug suboxone without a prescription.

Mr. Houston was convicted of armed robbery on July 6, 1994, in Suffolk Superior Court. Following that conviction, he pleaded guilty to being an habitual criminal and sentenced to life in prison.

<sup>1</sup> This decision was delayed because it had been assigned to an employee who left the agency without completing the decision. The Parole Board regrets the uncertainty and inconvenience that this delay caused to those involved.

On October 8, 1993, Mr. Houston and his unidentified co-defendant approached the victim as he left an ATM and robbed him at gunpoint. They took the victim's money, a ring, his new car, and fled the scene. Police apprehended Mr. Houston that night.

## **II. PAROLE HEARING ON SEPTEMBER 20, 2011**

Donald Houston has received parole twice and relapsed on opiates or cocaine both times. His second parole also included increasingly aggressive behavior with his girlfriend, presumably associated with his drug use. He has a long history of drug use, both in the community and in prison. He has used heroin, cocaine, opiate pain medications, and marijuana. At his parole hearing, Mr. Houston appeared to have limited insight into his drug addiction. He said he has long resisted Narcotics Anonymous, but began regular participation within the last year and now chairs the meetings at his institution. He said that "I have matured more in the past year than at any time in my life."

He said that he now has empathy for his victims. He is serving a life sentence for armed robbery as a habitual offender. He has two prior commitments for armed robbery, and two prior commitments for larceny from a person.

Mr. Houston has serious medical issues, pain management concerns, and psychological issues. As one Board Member noted, "considering this combination of issues, you are very high on a scale of risk for relapse."

Board Members discussed with Mr. Houston his decision to "reject NA" until recently, and noted that he also had difficulty working with the requirements of parole, his medical treatment, and his long term residential program.

Five people spoke in support of parole. Suffolk Assistant District Attorney Charles Bartoloni spoke in opposition, and noted that Mr. Houston has, including prior commitments, been on parole or probation "at least eight times" and failed many times.

## **III. DECISION**

Donald Houston has two recent parole failures for drug use. Despite his long history with drug abuse and treatment programs, he shows minimal understanding of the causes and treatments for his problem. He has actively "rejected NA" for years and has only in the last year accepted the possibility that the program might help him. As he has demonstrated with his parole violations, Donald Houston is not rehabilitated and is likely to re-offend if released.

The standard we apply in assessing candidates 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 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 here, the Board finds that Mr. Houston is not a suitable candidate for parole at this time. Accordingly, parole is denied. Mr. Houston's case will be reviewed in two years during which time he should maintain very active in substance abuse programming.

*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.*

*Josh Wall*

\_\_\_\_\_  
Josh Wall, Chairman

*April 23, 2013*

\_\_\_\_\_  
Date