



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

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DECISION

IN THE MATTER OF

**RICHARD KACHADORIAN
W64885**

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: October 16, 2012

DATE OF DECISION: June 28, 2013

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Charlene Bonner, Sheila Dupre, 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, institutional record, the views of the public as expressed at the hearing or in written submissions to the Board, we conclude by a vote of 6-1 that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in three years. Mr. Michel was in favor of parole with the requirement that the inmate complete 18 months in lower security.

I. STATEMENT OF THE CASE

Richard Kachadorian appeared before the Massachusetts Parole Board on October 16, 2012, for his initial parole hearing. On June 30, 1998, in Middlesex Superior Court, Mr. Kachadorian was convicted of second-degree murder and was sentenced to serve life in prison. Mr. Kachadorian appealed his conviction and the Appeals Court affirmed the judgment on June 15, 2000. *Commonwealth v. Kachadorian*, 49 Mass. App. Ct. 1112 (2000), *further appellate review denied*, 432 Mass. 1105 (2000). A motion for new trial and subsequent appeals from the denial therefrom were unsuccessful. *Commonwealth v. Kachadorian*, 55 Mass. App. Ct. 1109 (2002), *further appellate review denied*, 437 Mass. 1108 (2002).

On November 22, 1996, Mr. Kachadorian and the homeless victim, Laurence Cooper, got into an argument. Mr. Kachadorian had been walking by Mr. Cooper when he uttered a racial epithet toward Mr. Cooper. Mr. Cooper got up off of the wall where he was sitting and

approached Mr. Kachadorian. He was unarmed. Mr. Kachadorian, however, had a large flashlight and a buck knife. He swung the flashlight at Mr. Cooper, slashed open his throat with the knife, and stabbed him in the heart. Throughout the attack, Mr. Cooper never struck or attempted to strike Mr. Kachadorian.

Mr. Cooper succumbed to his injuries four days later on November 26, 1996. The autopsy revealed that, aside from slashing open Mr. Cooper's neck from "jaw to jaw," the stab wound to the chest was "lethal," penetrating the pericardial sac into the left ventricle of the heart. After the murder, Mr. Kachadorian fled the country, absconding to Belgium, France, and French Guinea. He returned to the United States through Miami, then went to Buffalo. He took the train to Vancouver, Canada. He reentered the U.S. and went to San Francisco, and returned to Massachusetts under the alias "Steven Becker." He was eventually apprehended in Swampscott on December 16, 1997.

In September 2007, after post-conviction appeals and motions for relief were unsuccessful, Mr. Kachadorian filed a petition for executive clemency seeking commutation of his sentence. The Advisory Board of Pardons reviewed Mr. Kachadorian's submission, denied his request for a hearing, and recommended denial of his petition for commutation. In reaching its decision, the Advisory Board determined that Mr. Kachadorian did not meet the threshold requirements for clemency because he had not exhausted his administrative remedies through the normal parole process.

II. PAROLE HEARING ON OCTOBER 16, 2012

Richard Kachadorian committed a vicious murder due to extreme anger fueled by racial bigotry. He was 50 at the time and is now 66. At this parole hearing, Mr. Kachadorian admitted that he used a racial insult at the time of the murder. He said, "I had one bad night."

A Board Member pointed out all of the evidence that established that "one bad night" was an inadequate explanation for the violent conduct. Witnesses who knew Mr. Kachadorian told police investigators that he was "a bigot with a bad temper." When faced with the information from witnesses, Mr. Kachadorian admitted that, "I had a bad habit for many years; it didn't take much for me to get verbally abusive; it happened that night and it happened a lot; it was a long-standing bad habit." Board Members concluded that Mr. Kachadorian's initial position that he "had one bad night" resulted from either a lack of insight or an intent to obscure the major issues requiring rehabilitation. A Board Member sought further information on Mr. Kachadorian's "long-standing bad habit" of being verbally abusive. When asked directly if he has a problem with anger, he was not able to describe his anger as a problem. The Board Member commented that it was surprising that "at this late date you cannot admit you have an anger problem."

Mr. Kachadorian described his life leading up to the murder: he had lived in Cambridge for 25 years; work was "not my favorite thing;" there was "some irresponsibility" and alcohol on weekends "became a serious problem." He was not working at the time of the murder. He said the murder was the only fight he had been in. A Board Member reminded him, however, of a previous act of violence in 1991 when he worked as an MBTA bus driver. Mr. Kachadorian said, "I was fired as a bus driver because I hit a passenger." The Board Member noted that "you followed the passenger off the bus" in order to assault him. Mr. Kachadorian also had a

road rage incident in 1986. Mr. Kachadorian collected disability benefits as his primary means of support after he lost his MBTA job. He repeated that, "work wasn't my thing." When asked, Mr. Kachadorian also revealed that he had used an inheritance to "finance a three-year drug binge" that included marijuana, pills, and heroin. When asked about his bigotry, he said, "I am not bigoted; I do not hate all black people."

Mr. Kachadorian has an unusual institutional history. He has no significant disciplinary reports. He said it is "very difficult to avoid trouble in prison; I try to shut my trap and let it roll off my back." He has a limited amount of program participation, but he has taken programs to reduce anger and violence. He has completed Emotional Awareness, Alternatives to Violence (two phases), and Jericho Circle. He has taken many Boston University college courses. He is not employed currently and has very little employment throughout his incarceration.

Board Members questioned Mr. Kachadorian about his prison activity. One Board Member said, "You have a passive approach in prison." The inmate responded, "I haven't been a ball of fire." A Board Member commented that, "You are puzzling because you are busy doing nothing. It's hard to picture what you would do on parole. What would you do that is productive?" He admitted that his parole plan is not specific and that "I haven't figured out what I want to do."

Only after being pressed to do so did Mr. Kachadorian admit to anger problems and reveal some insight gained from his programs. He said that after taking programs "I recognized that I am responsible for all my troubles and I am more aware of my problems." He said, "I have to face that I have a dark side and a good side; for me it is impulse control; I have to stop and think."

Middlesex Assistant District Attorney Kevin Curtin spoke in opposition to the petition of parole. Three friends of Mr. Kachadorian spoke in support of parole.

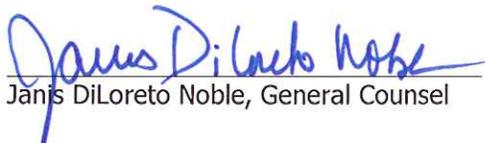
III. DECISION

Richard Kachadorian's adult lifestyle was characterized by inactivity, deliberate unemployment, substance abuse, anger, and bigotry. These characteristics came to dominate his daily existence and resulted in the murder of Laurence Cooper. Mr. Kachadorian's 15 years of incarceration have been marked by complacency. He has not been employed and has only sporadic program participation. He displayed the results of complacency at his parole hearing: he could not willingly describe his problems with anger and substance abuse and he could not identify his negative lifestyle as directly connected to the murder. Evidently, due to lack of effort, Mr. Kachadorian is not rehabilitated.

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. Kachadorian is not a suitable candidate for parole.

The review will be in three years, during which time Mr. Kachadorian needs to think seriously about his future and whether he wants to expend the effort required for rehabilitation. If so, he needs to get a job and enter programs to address issues related to anger, intolerance, substance abuse, and poor productivity.

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.


Janis DiLoreto Noble, General Counsel

6/28/13
Date