



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

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DECISION

IN THE MATTER OF

PAUL LECLAIR

W81563

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: November 27, 2012

DATE OF DECISION: September 9, 2013

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Dr. Charlene Bonner, 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 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 from the date of the hearing.

I. STATEMENT OF THE CASE

Paul LeClair appeared before the Massachusetts Parole Board on November 27, 2012, for his initial parole eligibility hearing. On March 19, 2003, he was convicted of second-degree murder after a jury trial in Worcester Superior Court and sentenced to serve life in prison. On direct appellate review, the Supreme Judicial Court upheld the conviction. *Commonwealth v. LeClair*, 445 Mass. 734 (2006). The following facts are culled from the Supreme Judicial Court's opinion.

On January 4, 1998, Paul LeClair stabbed his wife, 36-year-old Pamela LeClair, to death in their home. In December of 1997, Mr. LeClair and the victim were experiencing marital conflict. They had been married for 12 years and had one son. She also had a son from a previous relationship who had lived with Mr. LeClair since the age of six months and whom Mr. LeClair treated as a son.

Ms. LeClair decided to leave Mr. LeClair because he was too controlling. She left their Charlton home on December 25, and did not tell him where she was staying. Although he hired a private agency to investigate her whereabouts and to ascertain whether she was having an affair, he was unable to locate her. A few days prior to the murder, he told the victim's older son that his mother would be coming home and that he should "take a picture of her because you might not see her again."

Ms. LeClair returned home on the morning of January 4, 1998. Her brother arrived shortly thereafter and found her and Mr. LeClair talking in the kitchen. On her brother's arrival, the victim went outside on the back deck to smoke a cigarette. Mr. LeClair was irritated to see his brother-in-law and said, "She's not dead yet." The victim's brother then joined his sister on the deck. After about five minutes, they both went back inside the house and Ms. LeClair told Mr. LeClair that she was going to leave him. He became upset, and he and the victim asked her brother to go outside and wait while they finished their conversation. While outside, the victim's brother could not discern what was being said indoors, but could hear that the conversation in the kitchen was "getting loud." At some point, the victim grabbed her cigarettes, lighter, and keys, and rejoined her brother on the deck. Mr. LeClair, now visibly upset, followed. He pointed inches from his brother-in-law's face and said, "I don't want you on my fucking property." The victim's brother responded, "[A]fter everything that I heard that's going on, you don't want to mess with me." Mr. LeClair then swung at the victim's brother but missed. The two men wrestled, and the victim's brother eventually pinned Mr. LeClair to the ground. Her brother yelled to the victim to telephone the police. The two children, now on the deck, screamed for the men to stop. The victim, who had gone into the house to telephone the police, ran back outside to urge her brother to let Mr. LeClair go.

The victim's brother, who had planned to hold Mr. LeClair until the police arrived, released him when Mr. LeClair said, "Just lay off, I'm not going to do anything. I'm not going to do anything." Once released, however, Mr. LeClair went quickly into the kitchen and picked up a knife. The victim, who was in the kitchen on the telephone with the police, screamed, "Oh my God, he's got a knife Oh my God, he's going to stab me." Mr. LeClair grabbed the victim and, while her brother and sons looked on, raised the knife and brought it straight down into her upper arm. He then held the knife to the victim's throat and dragged her down the hallway. As the two boys ran to a neighbor's house, Mr. LeClair went toward his brother-in-law with the knife and said, "I'll fucking kill her if you don't get out of the house." The victim's brother then ran outside to wait for the police. When the police arrived, they found Mr. LeClair kneeling on the floor beside the victim, who was prostrate, barely alive, and bleeding, a cocked revolver at his temple. One officer told him to put the weapon down, and Mr. LeClair complied. He was handcuffed and placed in the back of a police cruiser.

Mr. LeClair told police that he and the victim's brother had argued; that the victim stood between them during the argument; and that he (Mr. LeClair) had grabbed a knife and stabbed her. Mr. LeClair also gave a written statement to State Police investigators admitting that he had stabbed the victim. In his statement, he recounted his fight with the victim's brother and stated that he had been "so mad something snapped." When asked whether he stabbed his wife to prevent her from talking to the police, he responded that "the snap happened because I knew at that point that the relationship was over and she created that with her brother." He further explained that he "grabbed the knife to defend myself against her brother, but when I

heard her on the phone, I snapped and went after her.... [S]ince she wanted the relationship over then I was going to really end it by stabbing her."

The victim was pronounced dead that afternoon at a hospital. A subsequent autopsy revealed that Ms. LeClair had bled to death from an eight-inch deep stab wound that had severed her brachial artery.

II. PAROLE HEARING ON NOVEMBER 27, 2012

Paul LeClair appeared for his initial parole hearing after serving 15 years of a life sentence for murdering Pamela LeClair. LeClair told the Board that Pamela was "entirely blameless." He explained that "I was frustrated by her continuing disinterest; I was stunned when she moved out on Christmas Day." He identified the key elements triggering the murder as "I was losing the confrontation with her brother Brian" and "I was in darkness and despair, I wanted to end my own life."

Board Members asked LeClair to describe his background and the circumstances of the marriage. He provided the following information: "I felt unwanted by my parents; I was told I was a mistake; my relationship issues came from this seed; my first marriage was stress filled because of my military schedule; the relationship was fine and not confrontational; I walked in on her with two other men," which eventually led to a divorce; "I met Pamela in October 1985; we dated for six months and began living together in the spring of 1986; she started a new job in 1997; we both had job-related stress; I thought changes in our relationship were due to her job; I didn't hold it against her; I was shocked when she said she was going to leave; I didn't see that coming; I wrote her a couple of letters; at first I didn't think it was serious; I did hire a private investigator; she wouldn't go to marriage counseling; in my mind I thought that last week that she had another relationship; that made me more frightened than angry."

Concerning the murder, LeClair said: "I wrote a letter that was a last ditch effort; on January 4, I was trying to get her to read the letter; she refused to look at the letter; I was asking her not to leave; she said that Brian told her to get a restraining order and take the kids; that was my worst fear losing the kids; she went out on the deck; I went out there; I believe I pushed Brian on the deck and we ended up pushing and shoving; he quickly subdued me; I saw everything crashing in; I felt I was in a black hole with darkness around me; Brian finally let me go; I ran into the kitchen and grabbed a knife; I lunged at her; when I grabbed that knife and she screamed she became the enemy; I thought the children were outside but I read later they may have seen this; I had the intention of killing myself on the deck; that was before I stabbed her; I carried her because I knew I could get Brian out of the house; I planned to shoot myself after I knew she would be getting help; I tried to stop the bleeding but I didn't know what to do; Brian came back in; I picked up a revolver off the entertainment center and Brian fled when he saw that; instead of helping her I put the gun to my head; then the police came in."

LeClair gave a more detailed written statement to parole staff which included this additional information: when she screamed "something in my mind snapped; I went into a rage and blamed her for everything;" after stabbing her "I grabbed her and threatened to kill her if Brian didn't leave the house; I put her down on the floor; I screamed something at her, blaming her for ending the relationship; I ran upstairs to get the revolver and I returned."

LeClair had a license to own a firearm and he said that he owned four guns that were stored in the bedroom closet.

LeClair's prison conduct has been very good. He has no disciplinary reports. He said he had no disciplinary reports "due to prayer, meditation, and trying to do the right thing; I chose not to be confrontational." He said he currently spends his time "in church groups and I walk." He said, "I have anxiety and introverted tendencies." He has completed Emotional Awareness and two phases of Alternatives to Violence.

A Board Member asked LeClair if he considered himself a "batterer." He hesitated for a period and did not answer. He then said, "I slapped Pamela once." The Board Member followed up to ask if he considered himself a "domestic abuser." LeClair said, "certainly, after this." A Board Member commented that LeClair does not describe himself as controlling or angry during the marriage or its breakup. A Board Member noted that "the January letter is a controlling and manipulative letter; you attribute all the problems over time to her." When pushed on his controlling behavior, LeClair admitted that "I always wanted to know where she was going and when she would be home; I thought it was insecurity but now I see it was control; I was probably controlling with the children; I did have outbursts with the children; I would yell and scream." A Board Member, after reviewing the evidence, commented that "you were stalking her; she became the enemy when she got the wherewithal to remove herself from you and get her life back." The Board Member asked LeClair what were his triggers for anger in his marriages and with his children. He said, "in relationships, not getting my way; with the children, not doing what they are told."

A Catholic nun who visits LeClair once a year spoke in support. LeClair said that "my sister didn't come today because she thinks I've hurt people too much; she believes I should not be released." A Board Member commented that "perhaps your sister sees what the rest of us are seeing, a lack of insight."

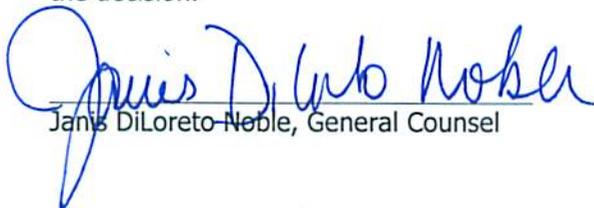
Six members of Pamela LeClair's family spoke in opposition, as did Worcester Assistant District Attorney Michelle King. Brian Soule, Pamela's brother who was present for the murder, said "my sister cared more about others than she did about herself." He remembered that "he grabbed Pamela from behind and stabbed her in front of us." Pamela's son Joshua Soule remembered his mother as "a great person; she always had a smile on her face; she was always looking to help other people; we had a great relationship with our mother." He also remembered what LeClair told him the week of the murder: "Your mother is coming over in a few days; you may want to take a picture of her because it may be the last time you see her." Joshua was present for the murder, and told the Board that "after he stabbed my mother he looked at me and said, 'You're next.'" Melodie Cooper, Pamela's sister, said, "We knew he wouldn't let her leave; after Christmas, Pamela called me and told me she was tired of being controlled; he used to yell so loud at her he would wake the kids; he accused her of an affair; he called her terrible names; when she got home from work he would go through her pants pockets and her pocketbook; he manipulated and controlled my sister for ten years; when he couldn't do it anymore he killed her."

III. DECISION

Paul LeClair murdered his estranged wife during an extended episode of rage. As established by evidence at trial and testimony at the parole hearing, LeClair had been a controlling and unreasonable spouse for an extended period. In his hearing testimony, LeClair ignored or minimized his controlling and angry behaviors. It was apparent that he has not identified and addressed those behaviors which led him to stab his wife. The Board, therefore, is able to conclude that he is not rehabilitated. The four goals of sentencing – punishment, deterrence, public protection, and rehabilitation – are unmet.

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, the Parole Board concludes that Mr. LeClair is not currently suitable for parole. Because Mr. LeClair has considerable work to do in completing more programs and addressing the issues of anger and control that resulted in a domestic violence murder, the review will be in five years.

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 each member of the Board has reviewed the applicant's entire criminal record. This signature does not indicate authorship of the decision.


Janis DiLoreto Noble, General Counsel

9/9/13
Date