



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

Mary Elizabeth Heffernan
Secretary

Telephone # (508) 650-4500

Facsimile # (508) 650-4599

Josh Wall
Chairman

DECISION

IN THE MATTER OF

HUNG TRUONG

W52523

TYPE OF HEARING: Review Hearing after Revocation

DATE OF HEARING: May 31, 2012

DATE OF DECISION: January 22, 2013

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

DECISION OF THE BOARD: Re-parole is denied with a review in four years. The decision is unanimous.

I. STATEMENT OF THE CASE

On November 21, 1989, 34-year-old Ngoc Le and her 15-year-old daughter Dixie Poulin were stabbed to death in their apartment in Everett. Two men, Hung Truong and Tam Bui, broke into the victims' apartment in order to rob Ms. Le. Using duct tape they bound and gagged both mother and daughter and ransacked the house. After finding money and jewelry, they stabbed Ngoc Le and Dixie Poulin multiple times.

Hung Truong and Tam Bui were armed with a handgun and a knife when they entered the victims' apartment and found Ngoc Le alone. While Bui pointed the gun at the mother, Truong used the duct tape to gag her and bind her legs and arms. Truong took possession of the gun and used it to threaten Dixie Poulin when the child came home and walked in on the crimes. Truong used duct tape to gag the child and bind her arms and legs. After finding money and jewelry, the two men stabbed Ngoc Le and Dixie Poulin. Truong said at his prior parole hearings that Tam Bui stabbed the mother and that Truong beat and stabbed the child, with Bui concluding the attack on the child with a few final stabs.

Dixie Poulin, age 15, was stabbed 12 times to the neck and chest. Six of the stab wounds to the neck perforated either her jugular vein or carotid artery. One of the stab wounds to the chest penetrated six inches deep into the chest cavity. In addition, she had six lacerations to the head due to blunt force trauma. Truong admitted at a prior parole hearing that he struck the child with the gun many times in the head during the murder. Ngoc Le suffered multiple stab wounds to her neck and chest. A stab wound to the neck severed her carotid artery; a stab wound to her chest passed through the rib cage and struck her heart.

After Tam Bui was convicted at trial of two first-degree murders, Hung Truong pleaded guilty on May 13, 1992 to two second-degree murders and two armed robberies. He received concurrent life sentences for the two murders, and two concurrent 9 to 10 year sentences for the armed robberies, which were also concurrent with the life sentences. The armed robbery sentences have been served.

II. PAROLE HISTORY

Hung Truong's initial parole hearing was in 2005. Truong's account of the murders included several significant lies, apparently offered to make himself look less culpable or violent. The Board denied parole and set a review in five years. At his second parole hearing in 2010 Truong gave a more truthful account of his violent conduct in murdering Dixie Poulin and Ngoc Le. The Parole Board voted to release Truong. He is not a United States citizen so he was released on October 5, 2010 to the custody of ICE (Immigration and Customs Enforcement) due to a deportation order. Deportation, however, was never going to be the outcome of the parole to ICE because Vietnam does not accept its citizens for repatriation from the United States. As would be expected, ICE released Truong from custody on January 28, 2011 to parole supervision in Massachusetts.

Hung Truong served 20 years on two life sentences for murders and two 9 to 10 year sentences for armed robberies. In releasing Truong, the previous Parole Board stated in its decision that Truong "since 2005 has been heavily program-involved; he has been consistently involved in mental health treatment; during his hearing he spoke with sincerity about the remorse he feels; and the Board has reached the conclusion that Mr. Truong has achieved significant rehabilitation while incarcerated."

While on parole Hung Truong lived in Quincy with his brother, sister-in-law, and their three children. His immigration status did not allow him to work legally although he was in the process of seeking legal employment status. He attended counseling for anger management and substance abuse issues.

He tested positive for opiates on October 3, 2011 and was returned to custody. He offered the explanation that he took his sister-in-law's prescription cough medicine that contained codeine. A subsequent test of Truong's sample by a laboratory was negative for opiates. Based on Truong's admission, parole was revoked for taking unauthorized prescription medication containing an opiate.

III. PAROLE HEARING ON MAY 31, 2012

Hung Truong appeared for his parole hearing to determine if he should be re-paroled after revocation. Truong was born in Vietnam, probably in 1970. He is one of ten children. For reasons he does not know, he and one of his older brother were selected for immigration to the United States. He and his brother spent four years in refugee camps in Malaysia and the Philippines awaiting immigration. Despite being together in refugee camps, Truong and his brother were not close and spent little time together. In the camps he developed habits of stealing, excessive alcohol consumption, and fighting. He and his brother arrived in the United States in 1989, six months before the murders. Truong was 19 and attended Brighton High School. He said that in the United States "I continued my negative behaviors, hanging around with negative people, drinking, drugging, and stealing, but now it was on a more severe scale."

Hung Truong told the Board that he "mostly stayed home" during his eight months on parole because immigration laws did not permit him to work. He said he did not work but did attend the counseling required by parole. He said that he tested positive for opiates because he took his sister-in-law's cough medicine.

The inmate's first 10 years of incarceration were marked by frequent violence and give no sign of rehabilitation. He accumulated 32 disciplinary reports, including two returns to higher custody for fighting and two lateral transfers for fighting. His disciplinary reports include the following: a group attack on another inmate; beating another inmate with a weapon; numerous other fights; possession of metal pick weapon; encouraging a group demonstration; stealing; possession of homebrew; incidents of disruptive behavior; and kicking an inmate who was being held down by another inmate. He had no program participation. He improved his behavior in later years and began program participation in 2004.

In its decision granting parole, a previous Parole Board noted Truong's ability at his 2010 parole hearing to demonstrate insight, sincerity, remorse, and rehabilitation. The inmate did not do as well in this hearing: he was guarded and not very communicative; he offered little insight or report on his rehabilitative progress; he gave no indication that he planned a more energetic or productive approach to another parole.

Two supporters testified: Hung Truong's older brother (in whose house Hung Truong lived during parole) and Reverend Adolph Wismor who assisted with sponsorship of the Truong brothers when they came to the United States in 1989.

Two credibility issues developed during the hearing after testimony from the inmate's supporters. First, supporters said that Hung Truong was working at a restaurant during his parole. Hung Truong lied to the Board under oath on this issue. When asked why he lied, Truong said he did not want to get in trouble for working in violation of the law. Second, Truong and his brother could not keep their stories straight on the cough medicine story: the inmate said it was his sister-in-law's medicine; his brother wrote a letter saying the medicine was prescribed for him; when he testified the brother said the medicine was not his but Hung Truong's, and then later testified it was his wife's medication. Hung Truong and his brother have confused rather than clarified the circumstances involving the medicine, but the matter is less significant than other issues and does not factor into the parole decision.

IV. DECISION

Hung Truong was the beneficiary of a very generous parole decision by a previous Parole Board. He violated parole by taking unauthorized prescription medication containing an opiate. The Board now applies the legal standard to his current situation with consideration of all the facts and circumstances related to his crimes, his background, his institutional record, and his performance on parole. The inmate chose to lie under oath at his parole hearing on the significant issue of employment. This choice demonstrates a lack of rehabilitation and sends the clear signal that he would not be a trustworthy parolee. It would be an extraordinary feat for an inmate who murdered two people, including a child, to achieve rehabilitation in 20 years of incarceration. This is particularly so when the inmate spent many years of incarceration engaging in violent behavior and avoiding programs of rehabilitation, and then told a series of lies at his initial parole hearing. Five years of good prison conduct and program participation is not sufficient to reform a person who planned and committed these acts of violence against an innocent mother and daughter. There are no facts of provocation or circumstances of mitigation, which indicates an even more difficult path to rehabilitation. Because he is not rehabilitated, Hung Truong is likely to re-offend if released and his release is incompatible with the welfare of society. Accordingly, re-parole is denied. The review will be in four years. Mr. Truong needs a longer period of program participation and good conduct; he needs to address issues of honesty and trustworthiness; and construct a parole plan that deals realistically with issues of financial support, employment, and productivity. The unproductive and secretive circumstances of this parole are unacceptable for a person serving two life sentences for murder.

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, Chairman



Date