



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

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DECISION

IN THE MATTER OF

HARRY CRAWLEY

W53500

TYPE OF HEARING: Revocation Review Hearing

DATE OF HEARING: September 26, 2013

DATE OF DECISION: January 31, 2014

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, 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 a suitable candidate for parole to an approved home plan.

I. STATEMENT OF THE CASE

On the evening of September 23, 1981, Harry Crawley and his co-defendant Walter Hall hailed a taxi cab with the intent of robbing the driver. While in the cab, Crawley, who was armed with a gun, stated "It's a stick up." Crawley then ordered the cab driver to pull over and give him all of his money. The driver, Homer Allen, refused to stop and sped off toward the police station. Crawley stated "Stop or I'll blow your head off." Crawley fired multiple gunshots striking Mr. Allen, who pulled over in front of a fire station and stumbled out of the cab. He ultimately succumbed to his injuries.

Following the shooting, Crawley and Hall fled. Crawley was able to make it to California where he remained until he was located in 1992. He was extradited to Massachusetts on August 6, 1992. Crawley pleaded guilty to murder in the second degree in Suffolk Superior Court on November 13, 1992. He was sentenced accordingly to life in prison with the possibility

for parole. Crawley also received a concurrent sentence of 15-20 years for assault with intent to rob.

II. PAROLE HISTORY

Harry Crawley was denied parole after his initial hearing in 2007. The Parole Board highlighted that he was not forthcoming insofar as he insisted that he was only attempting to shoot at Mr. Allen's foot so that he would stop the car. In addition, the Board noted that he needed to invest more in his rehabilitation, most importantly to focus on his addiction. Crawley was paroled to a long term treatment program in 2010 following a review hearing. The Board noted Crawley's commitment to his rehabilitation, positive institutional adjustment, and his positive re-entry plan including community support.

Crawley was released on April 17, 2012 to the Bridge House to continue his rehabilitation. He successfully completed the program and moved in with his girlfriend. He did not work due to a disability.

Crawley's parole has not been without issues. He was diagnosed with cervical stenosis that has compromised his ability to work and has affected his overall quality of life. Despite Crawley's struggles, his parole officers have worked with him throughout his time on parole to assist with his continued positive reintegration. Crawley, however, was returned to custody on April 4, 2013 after numerous infractions. His parole officers were most concerned with the association Crawley had with Kent Tyler, who was on parole for a life sentence for murder. There was also concern that Tyler was actively engaged in drug dealing. The parole officer warned Crawley about his association with Tyler. Crawley was not forthcoming and attempted to cover up his association by denying any contact. His parole officer later conducted an investigation and found numerous phone calls that Crawley had with Tyler, and evidence that he had met with Tyler. Crawley also falsely denied that he had a cell phone on that day. Once he began to deceive his parole officer, this created further concerns, most importantly that he may have re-engaged in criminal activity in conjunction with the other person. Although that was not substantiated, his parole officer detained Crawley and a decision was made by the Parole Board to revoke his parole.

III. PAROLE HEARING ON SEPTEMBER 26, 2013

The Parole Board revisited the governing offense that Harry Crawley committed, as it was unclear based on past hearings, if Crawley accepts that the injuries he caused Mr. Allen were intentional. The Board was concerned with having an honest dialogue about what Crawley actually did, rather than rest on his self-portrayal that he was deliberately trying to shoot at the floor and then his foot to scare Mr. Allen into stopping the car, not that he intended to severely hurt him. While Crawley maintains that he did not premeditate the murder, he recognized that his only desire on that day was to get money even at the expense of Mr. Allen's well-being. Upon learning that Mr. Allen was going to drive to the police station, and was not giving him the money, Crawley recognized this increased his anger and desire for his own self-preservation and shooting Mr. Allen at that point was deliberate. He acknowledged that it is not plausible that he only shot at his foot. Crawley acknowledged that "I shot an innocent man in the back."

After learning Mr. Allen had died, Crawley stated he fled to California to try and start his life over. He admits that he continued his maladaptive lifestyle and that he developed a "full blown" addiction. In order to feed his addiction he resumed his criminal behavior and reckless lifestyle. He was dealing drugs and pimping. He was ultimately incarcerated in California for drug related offenses. Crawley stated he trained as a forestry fire fighter while incarcerated.

He had many dysfunctional relationships. He had three daughters with three different women and admits that he could never maintain any stability or productive citizenship. Crawley has no relationship with his daughters or their mothers. Following his extradition and during his incarceration in Massachusetts, Crawley stated that he resumed a relationship with Tracey Stoutley, from Massachusetts. He has known Ms. Stoutley for many years prior to committing the governing offense.

Crawley stated resuming this relationship has provided him with stability and positive growth. Crawley maintains this relationship today. Crawley also stated that during his period on parole, he engaged in counseling and established positive relationships with people who have mentored him and assisted him with his adjustment. He admits, however, that he was not forthcoming with any of his supporters as to how deep his internal struggles were.

Crawley passed all his drug and alcohol tests on parole. He said, "I haven't had a drug in my body since 1989." He attended AA regularly while on parole. He said, "I maintained sobriety because of my mentor at the Bridge House; The Bridge House was everything to me; I was going to meetings, participating, learning to speak, and I came to enjoy it." He also volunteered regularly at the Salvation Army. Since his return to prison, Crawley attends AA and Big Book AA weekly. He said, "My programming gives me peace, it's what I do." Crawley acknowledged that he lied repeatedly to his parole officer about the association with a felon and his cell phone. A Board Member asked him, "Isn't AA based on truth and honesty?" Crawley responded, "Yes, it teaches 'don't be deceitful;' sometimes I have problems with being honest."

The Parole Board questioned Crawley extensively regarding his conduct on parole, both positive and negative. It became evident that Crawley's medical issues played a significant role in his lack of positive and productive activity. While incarcerated, Crawley completed a number of vocational programs that assisted him with establishing employment; however, due to documented health issues, Crawley could no longer maintain such employment. Crawley had the supports in place to assist him with dealing with such issues; however, he admits that he began to decline both physically and emotionally. The Parole Board expressed concern regarding not only his association with a person who he understood he was not permitted to be around, and who was potentially a negative influence on his life, but also with his deceitful behavior when given many opportunities to discuss this with his parole officer. Crawley acknowledged that his decision to establish and continue a relationship with the individual served a purpose for him. They had served time together and although he denied engaging in any criminal activity with this individual, he admitted that his judgment and conduct was in direct conflict with the expectations on parole. The Parole Board focused the remainder of the hearing on trying to learn why this relationship was so important, what other stressors contributed to his downfall, and what Crawley would need to be a successful citizen if he were afforded the opportunity of re-parole.

Crawley provided insightful answers regarding his struggles with re-entering the community. He stressed that he wanted to maintain the type of employment that would provide him financial stability and self-worth, and how he has struggled with the reality that he has limited employment options now. Crawley also stressed that he invested in counseling and sobriety while on parole, again recognizing, however, that he had issues regarding shame and self-worth that he was not forthcoming about. He discussed the value of having relationships with those who have had experiences such as he has, included being a man who has served many years in prison and is seeking to be successful in the community.

Three people spoke in support of parole. His counselor, Day Marshall, said he would continue to work with Crawley if he were re-paroled. Leonard Lacy, who works with SPAN, described how Crawley could access more help if re-paroled. Crawley's fiancée, Tracey Stoutley, who works full time for the MBTA, said that she is committed to help Mr. Crawley if he is re-paroled.

Suffolk Assistant District Attorney Charles Bartoloni provided a letter of opposition. ADA Bartoloni highlighted the nature of the offense, his criminal history, and his short period on parole before requiring re-confinement as reasons for opposing his re-parole.

IV. DECISION

Harry Crawley was returned to custody on April 4, 2013 for infractions that stemmed from his association with another murderer on parole. Crawley told several lies to his parole officer in an attempt to conceal the relationship. While the Parole Board considers his conduct to be in direct conflict with the expectations on parole, such infractions did not include the use of illicit substances and criminal behavior, both of which were the primary precipitants to Mr. Crawley's governing offense. The Parole Board examined the reasons why Crawley felt having that relationship was so important, and whether such a relationship was intended for criminal purposes. The Parole Board concludes that Crawley had difficulty adjusting in part because he needed to connect with people who understood the experience and obstacles of being a man incarcerated for many years who wanted to re-enter society. Crawley's documented medical issues also played a role in his overall struggles to maintain employment and positive self-worth.

Crawley has a strong support system that includes mentors who assisted him with re-entry and sobriety. These supporters were present at the hearing and are willing to counsel and mentor Crawley with a new understanding and commitment to his needs. Mr. Crawley previously completed a significant amount of occupational and treatment programs that earned him his initial parole. While he struggled with his adjustment, Crawley does present as a person who has the foundation, support system, and intent to be a positive citizen. He does not present a current risk for violence. In addition, the ten months of re-incarceration served by Crawley is sufficient accountability for his violations. The Parole Board will add conditions of increased counseling to address Mr. Crawley's adjustment needs.

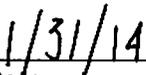
The standard for parole is set out in 120 C.M.R. 300.04, which provides that "Parole board members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such an offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of

society." Applying that appropriately high standard, the Parole Board concludes, that Mr. Crawley is suitable for parole to an approved home plan.

SPECIAL CONDITIONS: Re-parole to an approved home plan on or after February 14, 2014; no drug use; no alcohol use; AA or NA with sponsor three times per week; counseling for adjustment issues; GPS monitoring for six months and thereafter at discretion of parole officer; waive work for disability.

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.


Caitlin E. Casey, Chief of Staff


Date