



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

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DECISION

IN THE MATTER OF

WARREN MONGO

W31491

TYPE OF HEARING: Review Hearing after Revocation

DATE OF HEARING: July 9, 2013

DATE OF DECISION: February 4, 2014

PARTICIPATING BOARD MEMBERS: Cesar Archilla, 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, institutional record, the testimony of the inmate at the hearing, and 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 a suitable candidate for parole. Parole is granted to a long term residential program after one year in lower security at the Department of Correction (DOC) during which time Mongo must maintain good conduct and comply with all DOC expectations for programs, activities, and employment.

I. STATEMENT OF THE CASE

Warren Mongo murdered Mary Francis, age 70, in Dorchester on March 6, 1967 as part of a purse snatch. Mongo was 17 years old. Mongo was drinking with two friends when they decided to steal a handbag. Mongo approached Francis and grabbed her handbag. Francis held onto the bag and Mongo struggled to take it. Francis fell to the ground and struck her head on the pavement. Mongo fled with the handbag. Francis died ten days later from a head injury caused by the fall.

Mongo pleaded guilty to second degree murder on December 13, 1967. His two friends were also charged with murder and robbery. At trial they were acquitted of murder and convicted of robbery for which they each received a sentence of eight to ten years.

II. PAROLE HISTORY

Mongo committed the offense 46 years ago. He has been incarcerated for a total of 41 years and on parole supervision for approximately five years. He has been paroled three times and was revoked each time due to his drug use. His initial parole eligibility was delayed beyond 15 years because he escaped from furloughs in 1973 (for 47 days) and in 1980 (captured on the day he escaped). He was released on parole after serving 18 years.

His first parole lasted nearly three years. He was returned to custody in 1989 after he was arrested for shoplifting, robbery, possession of cocaine, and drinking alcohol in public. The criminal cases were dismissed but parole was revoked after Mongo admitted he violated parole by drinking alcohol and shoplifting.

Mongo received a positive parole vote in 1990. The vote required six months in pre-release. His release was delayed due to his own conduct as he was twice returned from pre-release to higher custody. His parole was eventually rescinded due to his prior conduct in the institution while awaiting parole release.

Mongo's next opportunity for parole came after a positive parole vote in 1998. He was required to complete the Correctional Recovery Academy program at the Department of Correction before release. It took him two years to meet that requirement and he was released to a long-term residential program in January 2000. The program terminated him for bad behavior but the Parole Board gave him another chance by sending him to another program rather than revoking parole. He completed that residential program but did not last long in the community. Malden Police arrested him in May 2001 for possession of heroin and carrying a dangerous weapon. He was convicted for those crimes and sentenced to serve one year. Parole was revoked and he resumed serving his life sentence.

The Parole Board granted a third parole release after a hearing in December 2001. The Board required Mongo to complete the Correctional Recovery Academy (CRA) a second time. Upon completing the CRA, Mongo was released in December 2004 to a long-term residential program where he received substance abuse counseling and other services. His sobriety did not last long. He was returned to custody on September 14, 2005 after he tested positive for cocaine.

The Parole Board denied re-parole after a hearing in May 2006 and set a review in five years. The Board noted that Mongo had done little to address his drug problem since his return to custody. The Board then saw Mongo for a review hearing on July 12, 2011 and again denied re-parole with a review in two years, noting his minimal productive activity or substance abuse programming since his 2006 return.

III. PAROLE HEARING ON JULY 9, 2013

Warren Mongo is seeking a fourth parole after he violated three prior paroles by returning to illegal drug use. He is 63 years old and has served over 41 years on his life sentence for second degree murder. In his opening statement Mongo said, "Time itself has killed all the ignorance; I put the 16-year-old to rest; I know my time is running out; I will always need help from strong people around me." When asked to evaluate his three parole

failures, Mongo said, "On the first parole I thought I could do everything; I wasn't connected to society; I have an adjustment problem; on my paroles I have been too rebellious; I have completed CRA three times but I didn't use it on parole; I have been around good people on parole but I isolated myself."

Board Members asked Mongo about the two years since his last parole hearing. His conduct remained good and he had not had a disciplinary report in 15 years, until a minor recent disciplinary issue on October 2, 2013. He works as a janitor and attends AA and NA. One Board Member commented that "you have not done much work in the last two years" and questioned whether he was institutionalized as he appears able to comply with rules and remain sober in prison. Mongo admitted there have been times that "I was starting to become institutionalized," but said he was now "fighting against it hard." He acknowledged his very poor conduct earlier in his sentence. He received 46 disciplinary reports for violence against staff, fighting, drug and alcohol use, and escape. He said, "I had a late maturity; I have an independent nature and it took a while to come of age."

Board Members asked Mongo how he would succeed on parole if given another opportunity. He said he recognizes that he is an addict and would regularly attend AA or NA. He does not have much family support. He said, "Most of my family is down South now; my daughter is in Florida; I have a son in Boston but I have no contact with him." Instead of family support, Mongo plans to rely on various programs at SPAN¹ in downtown Boston. He said he "always worked" on his three paroles and that he would get employment through SPAN as a painter or landscaper. He would also rely on SPAN to help him find housing in Boston and would develop supportive relationships with other former offenders at SPAN.

Two people spoke in support of parole. Leonard Lacey, who works with SPAN, spoke of the support that Mongo would receive from SPAN. A female friend who spent time with Mongo during his previous paroles said, "He helps everyone but he needs help to live out here; he needs living skills; on previous paroles he hid instead of seeking help." Mongo gave an emotional closing statement in which he expressed regret for his mistakes in life and asked for another chance.

III. DECISION

Warren Mongo was 17 years old when he killed Mary Francis. He did not intend to kill the victim and he did not use a weapon. He struggled with her but did not beat her. His violence caused her death and he was properly convicted of second degree murder. Because his actions did not display the level of anger, intentional violence, and disregard for human life more commonly seen with second degree murder, Mongo was well-situated to earn parole and live productively in the community if he committed to rehabilitation and sobriety. Instead, he avoided rehabilitation in the earlier years of his sentence and has made many mistakes over the decades that have caused parole denials or parole revocations. At age 63, however, he appears to have finally reached a point that gives him better prospects for success in the community.

¹ Span, Inc. is a 501(c)3 non-profit, tax-exempt corporation based in Boston dedicated to assisting people who have been in prison to address the issues that brought them to prison.

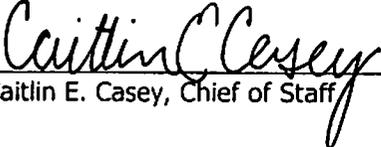
He recognizes his addiction and the importance of AA and NA to maintain sobriety. He also recognizes that he needs positive supports and contacts rather than the isolation that characterized his approach to three previous paroles. He intends to use SPAN as source of programs and relationships with positive people.

Mongo has served a total of 41 years for a non-intentional murder and has served eight years since his last parole (which he violated by using cocaine). By his conduct, he has established that he does not present a current risk for violence. Although he is far from the most active inmate, Mongo has maintained employment and sobriety. In addition, he has a much better understanding of what he needs for sobriety and success in the community and has a plan to access support and develop positive relationships through SPAN.

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, the Parole Board grants parole to a long-term residential program after one year in lower security. This release plan will allow for important supports and treatment during a closely supervised transition.

SPECIAL CONDITIONS: Parole to a long-term residential program after one year in lower security; no drug use; no alcohol use; AA or NA three times per week with sponsor required; one-on-one counseling for adjustment and substance abuse issues.

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