



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

MICHAEL THOMPSON
(formerly Bernard Bessette),
W40891

TYPE OF HEARING: Review Hearing

DATE OF HEARING: November 4, 2014

DATE OF DECISION: February 18, 2015

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Lucy Soto-Abbe

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 written submissions to the Board, we conclude by unanimous vote that the inmate is not a suitable candidate for parole. Parole is denied with a review in five years from the date of the hearing.

I. STATEMENT OF THE CASE

On February 12, 1985, in Middlesex Superior Court, Michael Thompson pleaded guilty to three counts of armed robbery, stemming from a 1982 armed bank robbery in Cambridge, and the subsequent armed robberies of two women (one in Somerville and the other in Cambridge). For these crimes, Thompson was sentenced to two concurrent life sentences.

On that same date, Thompson received multiple sentences relating to these robberies, including two 18 to 20 year sentences for armed assault with intent to murder and three 9 to 10 year sentences for assault and battery with a dangerous weapon, kidnapping, and larceny of a motor vehicle. Thompson also received three to five year sentences for assault with a dangerous weapon and possession of a dangerous weapon. These sentences were all ordered

to run concurrent with each other and with his life sentences. Two counts of assault with intent to rape were filed.¹

Background

Michael Thompson, formerly Bernard Bessette, is a native of Canada and resided in Montreal. Thompson has an extensive Canadian criminal history. Available records reflect that starting in 1969, when he was 18 years-old, Thompson committed, and was convicted of, several crimes that include a robbery of a grocery store, assaults, conspiracy, automobile thefts, and an attempted murder committed during an armed robbery of a bank. In 1974, Thompson was sentenced to nine years in the Canadian prison system and served six years. Thompson was released on parole from this sentence in 1980.

While on parole in Canada, Thompson was charged with first degree murder. That charge is outstanding. An Immigration and Customs Enforcement (ICE) detainer and a final order of removal have been entered against him. If paroled from his several sentences² in Massachusetts, he would be deported to Canada, placed in the custody of Canadian law enforcement, and would have to serve the balance of his nine year sentence. In addition, Thompson would have to resolve the first degree murder charge.

This first degree murder charge remains outstanding since, in 1980, Thompson immigrated to the United States illegally. Thompson, who at that point was 30 years-old, also changed his name from Bessette, after entering the United States. By 1982, Thompson resided in a Somerville apartment with a woman and their infant daughter.

The Bank Robbery³

On April 1, 1982, Thompson, 31 years-old, entered Coolidge Bank and Trust in Cambridge. He approached Doris Grainger, a teller, and pointed a gun at her. He assured her that this was not a joke and demanded that she give him all of her money. She removed \$1,363 from her drawer and placed it on the counter. Thompson took the cash and walked to the next window. He repeated his demands and pointed his gun at the second teller, Deborah Corcoran. She took \$2,862 from her cash drawer and presented it to Thompson. Some customers came into the bank and apparently made Thompson nervous. He turned and fled with the money. Thompson used a disguise when committing this robbery.

¹ Thompson pleaded not guilty to these charges and they were filed by the Court. For parole purposes, although he was not convicted of the assault with intent to rape charges, the Board may consider the sexual components of his assaults on "Sally" and "Jill" when assessing his parole suitability. See *Greenman v. Massachusetts Parole Board*, 405 Mass. 385 (1989). The Parole Board was presented with information indicating that on separate occasions, two women, one in Somerville in 1982 and another in Cambridge in 1983, each accused Thompson of declaring his intent to rape them during the course of armed robberies for which he was convicted and sentenced.

² As described below, Thompson must serve a one to three year term and after sentence imposed following his 1990 escape attempt. If paroled from his life sentences, Thompson would begin serving time on the sentence for escape, on which the Board may grant him an additional parole when he becomes eligible.

³ In addition, on May 27, 1982, Thompson robbed the Salem Five Cents Bank in Danvers. Thompson, as he had done in Cambridge, threatened a teller with a gun and wore a disguise, and realized less than \$1,000 from this robbery. On April 18, 1984, in Essex Superior Court, Thompson was sentenced to seven to 10 years for this armed robbery. This sentence has expired.

The Armed Robbery of Sally⁴

On August 10, 1982, Sally was returning to her home in Somerville. She parked her car on the street a short distance from her home and began to lock her car door. Suddenly, Thompson appeared, grabbed her around the waist, and held a double edged knife at her side. Thompson told Sally that she should fall down or he would kill her. He made it clear that he knew who she was and that he had been watching her. Thompson was, in fact, completely unknown to Sally.

Thompson dragged Sally across the street and into a yard alongside a house. He told Sally that he was going to rape her. In an attempt to get help and also to stall Thompson, Sally talked continuously, louder and louder. Thompson told Sally that, if she continued to try to attract attention, he would kill her. Thompson lifted her shirt and skirt and fondled her. He told her again that he was going to rape her and asked her numerous questions about her sexual activities. As this continued, a car started down the street and apparently startled Thompson. He told Sally to get behind the house and to leave her tote bag with him. The bag held her purse, which contained about \$30 and jewelry, including a ring.

Warning Sally to stay behind the house, Thompson fled with her bag. Remembering that the ring was her grandfather's antique ring, Sally began to run after Thompson. Turning, Thompson chased her back behind the house and again threatened her life. By this time, a man had gotten out of the car that had come down the street. Sally screamed for help and the man brought her into his home to use the phone to call the police.

The Attack of Jill and Her Husband⁵

On March 19, 1983, following an evening spent with her sister-in-law, Jill was walking back from Cambridge. In an attack which was eerily similar to that suffered by Sally, Jill was suddenly grabbed by Thompson. Thompson, who around the time of these robberies worked for a local loan shark as an enforcer, was directed to collect money from Jill. He told her two things; that he had a gun and that he was going to rape her. He tried to drag her into a driveway and he tried to push her between some parked cars. Frantic to get help, Jill told Thompson that she was willing to have sex with him and told him that they could go to her nearby home. Thompson demanded to know whether there was anyone at home and Jill falsely assured him that she lived alone. When they reached her home, Thompson shoved Jill inside the house. Jill knew that her husband was sleeping in their first floor bedroom and that her small children, as well as several of their young cousins, were sleeping upstairs.

Jill managed to settle Thompson in the kitchen and then went into her bedroom to awaken her husband. Although she signaled to her husband to be quiet, Thompson apparently heard his voice. He ran to the bedroom door and fired multiple times. A number of those bullets entered the headboard just behind the head of Jill's husband and others went through the walls and ceiling of the bedroom. Thompson ran down the hall toward the front door,

⁴ A pseudonym will be used to identify the victim, pursuant to G.L. c. 265 § 24C, because in addition to the armed robbery and kidnapping, there is an accompanying charge of assault with intent to rape. This charge was filed.

⁵ A pseudonym will be used to identify the victim. See FN 3.

continuing to fire back into the hall in an apparent attempt to prevent anyone from following him. Awakened by all that had happened, several of the young children had come into the stairway and were yelling and crying. As the terrified children huddled there, Thompson continued to fire in their direction.

Thompson was later arrested in Belmont after a high speed chase through several towns. During that chase he was driving a stolen car and threatened to run down two police officers. Thompson was arrested in his Somerville apartment and remained in police custody until August 1983, when his trial for the robbery of the Salem Five Cents Bank in Danvers commenced.

Escapes

In August 1983, during a trial recess in the Essex Superior Court, Thompson was able to escape custody by following the jury out of the courtroom. He fled and evaded capture for three months. He was re-arrested in Watertown on November 23, 1983. Following this arrest, he was held in the Middlesex House of Correction in Cambridge awaiting trial on other charges. On May 24, 1984, Thompson was found to be missing from his cell. Despite a massive search, he remained at large until November 15, 1984, when he was arrested in Melrose. For his escape from the Middlesex House of Correction, Thompson was sentenced on March 15, 1985, in Middlesex Superior Court, to a nine to 10 year sentence ordered to run concurrent to his life sentences for escape.

While serving his life sentences, Thompson also attempted another escape from MCI-Cedar Junction. On March 5, 1990, Thompson hid in a box that was loaded onto an Industries truck. While en route to MCI-Norfolk, the driver heard a noise coming from the back of the truck and notified proper authorities who apprehended Thompson. On June 11, 1990, Thompson was sentenced in Norfolk Superior Court to a one to three year sentence ordered to run from and after his life sentences.

II. PAROLE HEARING ON NOVEMBER 4, 2014

Michael Thompson appeared for his fourth parole hearing, after being denied in 2009 and given a five year review date. He was represented by a Northeastern University School of Law student. Thompson is 64 years-old, has served 31 years of his three life sentences, and is currently at Souza-Baranowski Correctional Center (SBCC), where he has been since November 2004.

Thompson made a brief opening statement which included an apology to his victims and their families. His representative told the Board of Thompson's childhood traumas, his reported history of abuse, his criminal history, and his legal matters pending in Canada. Thompson has an immigration detainer lodged against him and an order of deportation to Canada by Immigration and Customs Enforcement (ICE). Additionally, the Royal Canadian Mounted Police has an immigration warrant lodged against him for parole violations, as well as a straight warrant for first degree murder. Thompson has numerous convictions in Canada for property related offenses and was on parole in Canada on a robbery offense when he absconded. Due to numerous escapes and his institutional behavior, Thompson has been classified as a "high level security risk" since 1990.

Since his last hearing, Thompson has not engaged in any programming and said that he has completed all available programs at SBCC. It should be noted that the Department of Correction's documents indicate that Thompson refused to participate in a risk assessment, but he stated "I didn't know what [the risk assessment] is and so I don't remember refusing." He also stated that he is unable to participate in any educational programming due to his medical issues. Additionally, he admitted that he has not engaged in any sex offender treatment. Thompson is currently employed as a unit runner, working seven days per week. Although he denies any substance abuse issues, Thompson admitted to using cocaine early in his incarceration and has an arrest in Florida for marijuana. He has remained disciplinary report free since 2010.⁶

Thompson described his upbringing by stating that he was born in Montreal, Canada, with the birth name of Bernard Bessette and he is the second oldest of nine children. His family grew up poor and lived in a three bedroom home. He described his father as "a physically abusive alcoholic" who often abused the family, including his disabled brother. "At age five, due to the abuse, I began running away from home until the age of 14, when I dropped out of school and left home for good." Thompson stated he was "afraid" of his father. He told the Board that it was during this time that he committed multiple property crimes, including breaking into grocery stores, in order to provide for his family. He confessed to his crimes saying, "At age 18, I was incarcerated for breaking and entering into the neighborhood grocery store and served two years in prison. When I was 24, I was sentenced to nine years for an armed robbery of a bank and attempted murder. I served six years of that sentence."

During his incarceration, Thompson's brother killed their father in retaliation for the years of abuse. His brother was charged with manslaughter and served 45 days. The Thompson family's abuse was well known to law enforcement. Thompson noted "I was too much of a coward to kill my father." His mother died of cancer during his incarceration in Canada and afterwards "everyone got on with their lives and had children." Shortly after he was paroled in 1980, Thompson absconded to the United States. He went to Ft. Lauderdale, Florida and resided there for one year saying, "I was doing good in Florida, staying away from trouble. I met a girl from Boston who was on Spring Break and came with her to Boston. She was 20 years old and became pregnant. I was happy about the pregnancy, but panicky because I needed to make a living. I went back to my old ways after working several odd jobs."

In describing his governing offenses, Thompson said he acted alone, wore a fake beard, and used a .38 special when he robbed the Coolidge Bank. Thompson stated that he stole about \$4,000 and gave the money to his girlfriend to pay bills. Regarding the armed robbery of Sally, he said he was never involved with her. He said he never knew who she was and could not articulate what brought him in contact with her. With regard to the attack of Jill, he stated, "I was trying to do odd jobs and met a loan shark who asked me to collect money for him. Jill owed money to the loan shark and when I asked her for money, she told me her husband just got paid and she would go home to get the money." Thompson went with her and "she

⁶ Thompson had a troublesome disciplinary history. Department of Correction records reflect that Thompson has had four returns to higher custody, four segregation placements, two placements in the disciplinary unit, three escapes, and over 30 disciplinary reports. One of his placements in the disciplinary unit was for the 1988 stabbing of another inmate with a 12" rod-type weapon. In addition, he received a 1997 disciplinary report for attempting to bribe a correctional officer to bring in a pair of bolt cutters.

immediately began yelling, 'there's a guy with a gun' in the house." He denied he was going to rape her, saying "it was never anything like that." He admitted shooting the gun three to four times in the home. After leaving Jill's home, Thompson was involved in a lengthy car chase with local police that went through three towns. When asked to talk about it, he said he had no recollection of the car chase and further denied grabbing either woman from the street with the intent of raping them. When asked by a Board Member why two female victims would have such similar stories, Thompson replied, "I don't know."

When asked to speak of the murder case in Canada, Thompson asserted his Fifth Amendment Right. He stated that he wants to go back to Canada and clear his name.

Thompson does not maintain contact with his family because it was "too difficult for all of us and I was part of that bad situation and I was a bad reminder to my family." He believes they all still reside in Montreal and hopes to be reunited with them, if and when he returns to Canada. He said he has been in contact with the Canadian Consulate since the 1990's and they will assist him in locating his family. Thompson told the Board that the Canadian government has agreed to take him back; however, he is awaiting an international transfer. He asked the Board to parole him to the ICE detainer and the Canadian warrants "to face justice for the alleged crimes and parole violation. I don't believe I need to spend any more time in prison. I want to do something positive. I did as best as I can and I'm deserving of such a chance."

Thompson had no attendees in support of his parole request. There were no attendees or written submissions from the public in opposition to his release. However, Middlesex Assistant District Attorney Adrienne Lynch spoke in opposition to parole.

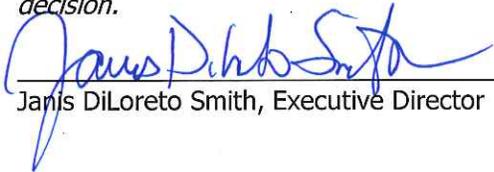
III. DECISION

Thompson has an extensive criminal history both in the United States and Canada that includes many violent offenses, probation violations, parole violations, and escapes. He robbed two bank tellers at gunpoint while wearing a disguise, robbed a woman at knifepoint threatening to rape and kill her, and, while working for a loan shark as a "strong-arm," threatened to rape a woman while firing multiple gunshots throughout her home as he fled. Thompson spoke of working for the loan shark as though it was a legal enterprise. He downplayed the fact that he was carrying a gun to threaten a woman for money and denied the fact that he robbed another woman while threatening her with a knife. He insisted that he did not intend to rape the women and he was not forthcoming with the crimes committed against them. He could not offer an explanation as to why two women would have such similar stories. His appearance before the Board was indicative of a lack of candor and minimization of his role in the crimes and is concerning to the Board, given his history of other violent offenses. The last program he completed was Emotional Awareness in 2006 and he has not since engaged in any further rehabilitative programming, despite recommendations that he engage in sex offender treatment. Instead, Thompson has resisted and refused treatment, opting instead to insist upon his innocence. Finally, he lacks any familial support, resulting from his own failure to maintain contact.

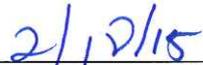
The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the

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, it is the unanimous opinion of the Board that Michael Thompson does not merit parole at this time because he is not rehabilitated. The review will be in five years, during which time Thompson should commit to a more comprehensive rehabilitation that addresses both his criminal behavior and his lack of candor and insight regarding the governing offenses, including the sex offenses. Also, Thompson should engage in counseling to address issues stemming from his childhood.

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 Smith, Executive Director



Date