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DECISION

IN THE MATTER OF

ABDULLAH MUHUMMAD
AKA EDWARD BROWN
W37526

TYPE OF HEARING: Review Hearing
DATE OF HEARING: January 21, 2016
DATE OF DECISION: May 31, 2016

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, Tina Hurley, Lucy Soto-Abbe

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the 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 scheduled in four years from the date of the hearing.

I. STATEMENT OF THE CASE

On July 23, 1979, in Suffolk Superior Court, Abdullah Muhummad pled guilty to the second degree murder of Junious E. Parker, assault and battery by means of a dangerous weapon, two counts of unlawful possession of a firearm, and two counts of armed robbery. A sentence of life in prison, with the possibility of parole, was imposed on Mr. Muhummad for the murder of Mr. Parker. Mr. Muhummad was sentenced to a term of not more than 20 years and not less than 15 years in prison for both his convictions of armed robbery. Mr. Muhummad was also sentenced to a term of not more than 10 years and not less than 8 years in prison for his conviction of assault and battery by means of a dangerous weapon. Mr. Muhummad was sentenced to separate terms of not more than 5 years and not less than 4 years in prison for both his convictions of unlawful possession of a firearm. These sentences were to be served concurrent with the life sentence.

On September 28, 1978, at approximately 12:30 p.m., Edward Brown (name changed to Abdullah Muhummad in 1993) entered an office building at 645 Warren Street in Roxbury with a .22 caliber hand gun. Mr. Brown encountered the maintenance man, Mr. Parker, and fired two shots, one of which hit Mr. Parker in the chest, puncturing his heart. Upon hearing the shots, Attorney Eva Silva called out to the victim, but there was no reply. When she left her locked office to investigate, Mr. Brown accosted her and forced her back into her office. He then robbed Ms. Silva at gunpoint and fled. Ms. Silva waited a few minutes and then went downstairs and discovered the body of Mr. Parker lying on the floor. He was unconscious, with blood on his shirt and his empty wallet beside him. Police were called to the scene. The victim was pronounced dead upon arrival at Boston City Hospital.

On October 3, 1978, Boston police responded to an assault that took place in the Combat Zone and apprehended Mr. Brown. During the arrest, a .22 caliber pistol fell to the ground. It was sent to the Boston Police Department Ballistic Unit, where it was subsequently determined that the bullet that killed Mr. Parker was from the .22 caliber pistol acquired from Mr. Brown. Originally, Mr. Brown had accused another man of the murder. However, he later confessed to the murder and armed robberies.

II. PAROLE HEARING ON JANUARY 21, 2016

Mr. Muhummad, now 57-years-old, appeared before the Parole Board on January 21, 2016 for a review hearing and was represented by Student Attorney Melissa Tobin. This was his fifth appearance before the Board. Mr. Muhummad's initial hearing took place on September 13, 1993 and resulted in the denial of parole. Subsequently, he appeared before the Board for review hearings on October 15, 1997, November 1, 2001, November 30, 2006 and November 23, 2010, all of which resulted in the denial of parole.

In Mr. Muhummad's opening statement to the Board, he apologized for his actions and expressed his remorse. He wanted to clarify that, during prior parole hearings, he did not intend to appear evasive, but he did not fully understand what was being asked regarding his substance abuse and disciplinary history. Mr. Muhummad believes that he did not possess the communication skills needed to properly convey his answers to the Board at that time.

Regarding the murder, Mr. Muhummad stated that he went to the office building with the intent to rob the occupants of money in order to obtain drugs. At that point in his life, he was regularly consuming alcohol, cocaine, mescaline, acid, speed, and marijuana. Yet, he did not realize that he had a serious substance abuse problem. Although he does not recall (due to being intoxicated during the robbery) taking Mr. Parker's wallet, Mr. Muhummad acknowledges that he "robbed the place" and must have taken his money. He said that he remembers Mr. Parker taking two steps toward him as Mr. Muhummad drew his pistol, which caused him to fire. Mr. Muhummad had previously testified that he had tried to "wing" Mr. Parker in the shoulder, but missed because Mr. Parker was moving too fast. After reflecting on these statements, Mr. Muhummad acknowledges that he does not actually remember trying to wing Mr. Parker. Mr. Muhummad believes this is something he told himself afterwards because he could not bring himself to believe that he would deliberately shoot and kill someone. He admits that he intended to shoot Mr. Parker, but that he had not given it much thought at the time of the shooting because he "didn't have the time to think." When asked what he knows about Mr. Parker, Mr. Muhummad stated that he is aware that Mr. Parker was a veteran. He also said

that Mr. Parker was the janitor for the building, but may have been acting as security on the day of the murder. A week after the murder, Mr. Muhammad got into an altercation on his way to a job interview. He admitted that he brought the gun with him that he used to kill Mr. Parker because he had planned on committing another robbery on his way home from the interview.

Mr. Muhammad grew up during Boston's tumultuous busing period. He now realizes that he previously lacked the communication skills and coping abilities needed to walk away from confrontational situations. The Board acknowledged that Mr. Muhammad's educational history and the racial insensitivity he experienced during his youth played a substantial role in that period of his life. He had associated with people prone to violence and had experienced difficulty in staying away from those individuals. Mr. Muhammad stated that the recent programs he participated in have helped him learn how to safely distance himself from people who are bad influences. In addition to counseling and to attending Narcotics Anonymous (N/A), Mr. Muhammad has participated in the Beacon program, the Correctional Recovery Academy, the Path to Freedom program, and a Spectrum treatment program. Mr. Muhammad took a violence reduction course and had planned to take an advanced course in violence reduction, but was unable to enroll due to a wait list. He also earned his GED and a bachelor's degree while incarcerated.

Mr. Muhammad stated that his drug use played a significant role in his criminal activities. He claimed to have stopped using drugs in 1994 and began regularly attending N/A meetings. When questioned by the Board as to what his biggest barriers to being released have been, despite his long history of sobriety, Mr. Muhammad stated that his prior lack of insight into his crimes, his minimization of substance abuse, and his institutional disciplinary history all came to mind. When asked about the two disciplinary reports that he received after his last hearing, Mr. Muhammad expressed regret for the incidents that gave rise to the reports.

The Board considered the testimony of Mr. Muhammad's wife, who expressed her support for his release. There was no testimony provided in opposition to Mr. Muhammad's release.

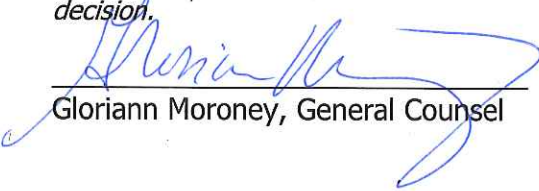
III. DECISION

The Board is of the opinion that Mr. Muhammad has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes that a longer period of positive institutional adjustment and programming would be beneficial to Mr. Muhammad's rehabilitation.

The applicable standard used by the Board to assess a candidate for parole is: "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." 120 C.M.R. 300.04. In forming this opinion, the Board has taken into consideration Mr. Muhammad's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Muhammad's risk of recidivism. After applying this standard to the circumstances of Mr. Muhammad's case, the Board is of the unanimous opinion that Mr. Muhammad is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Muhammad's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages Mr. Muhammad to continue working towards his full rehabilitation.

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.


Gloriann Moroney, General Counsel

5/31/16
Date