



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

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RECORD OF DECISION

IN THE MATTER OF

ALFRED THERRIEN

W32553

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: July 16, 2024

DATE OF DECISION: December 18, 2024

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, and Rafael Ortiz.

VOTE: Parole is granted to an approved home plan.¹

PROCEDURAL HISTORY: On January 21, 1970, Alfred Therrien was convicted of first-degree murder in Middlesex Superior Court. He was sentenced to life without the possibility of parole for the murder of Pasqualina Natoli.² On that same date, Mr. Therrien was convicted and sentenced to concurrent terms for the following offenses: armed robbery while masked (20-40 years), three counts of armed assault with intent to rob (5-10 years), assault and battery with a dangerous weapon (5-10 years), and theft of a motor vehicle (3-5 years).

Mr. Therrien became parole eligible following the Supreme Judicial Court's decision in Commonwealth v. Mattis, 493 Mass. 216 (2024), when the court held that sentencing individuals who were ages 18 through 20 at the time of the offense (emerging adults) to life without the

¹ Three Board Members voted to parole Mr. Therrien to an approved home plan after 90 days in lower security. The Board also voted unanimously to withdraw a parole violation warrant in connection with Commitment No. W31625 and resume supervision.

² On March 13, 1968, Mr. Therrien initially pleaded guilty to murder in the second degree and received a life sentence with the possibility of parole. Mr. Therrien withdrew his guilty plea a few months later. He was subsequently convicted of murder in the first degree.

possibility of parole is unconstitutional. As a result of the SJC's decision regarding Mr. Therrien's first-degree murder conviction, he was re-sentenced to life with the possibility of parole after 15 years.

On July 16, 2024, Mr. Therrien appeared before the Board for an initial hearing and was represented by Attorney John Barter. The Board's decision fully incorporates, by reference, the entirety of the recording of Mr. Therrien's July 16, 2024, hearing.

STATEMENT OF THE CASE:³ On June 3, 1967, 20-year-old Alfred Therrien and a friend traveled from Connecticut to Massachusetts with a handgun and a carbine. While driving through Framingham, Mr. Therrien decided to rob Natoli's Market. Mr. Therrien, along with his friend, approached the store. Mr. Therrien was masked and armed with a handgun and a carbine. As the men approached the entrance, Pasqualina Natoli exited the store and encountered the men at the entrance. Mr. Therrien told Ms. Natoli that "this is a holdup" or something to that effect. Ms. Natoli asked if this was a joke. Mr. Therrien then shot Ms. Natoli in the heart. The men fled before taking any money, so Mr. Therrien's friend returned to the store to take the money from the register. While Mr. Therrien's friend retrieved money from the cash register, a vehicle pulled up to the store. An individual got out of the car and walked towards Ms. Natoli. Mr. Therrien, who was parked across the street from the store, shot the individual in the groin.⁴ The men drove away with the cash register, which contained 34 dollars.

While traveling through Weston, the police pulled Mr. Therrien over. Mr. Therrien then jumped out of his car and pointed his carbine at an officer. Mr. Therrien attempted to shoot at the police, but the carbine misfired each time. Police returned fire. Mr. Therrien sped away, abandoned the car, and stole another car to flee to Connecticut. He was arrested the following day in Connecticut. At the police station, Mr. Therrien admitted to committing the robbery, shooting two people, and attempting to shoot the police officers in Weston.

APPLICABLE STANDARD: Parole shall be granted "only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." G. L. c. 127, § 130. The Board considers multiple factors in making its decision, including the incarcerated individual's institutional behavior; their participation in available work, education, and treatment programs during their incarceration; and whether the incarcerated individual's chances of recidivism could be reduced by participation in risk reduction programs. G. L. c. 127, § 130. The Board considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the entirety of the incarcerated individual's criminal record, the incarcerated individual's institutional record, the incarcerated individual's testimony at the hearing, and the views of the public expressed at the hearing and/or in written submission to the Board.

Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging

³ The Statement of the Case is derived from Commonwealth v. Therrien, 359 Mass. 500 (1971), and Mr. Therrien's post-conviction statements.

⁴ Despite sustaining serious injuries, the individual survived.

adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). Individuals who were emerging adults at the time of the offense must be afforded a "meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation" and the Board evaluates "the circumstances surrounding the commission of the crime, including the age of the offender, together with all relevant information pertaining to the offender's character and actions during the intervening years since conviction." Id. (citing Diatchenko v. District Attorney for the Suffolk Dist., 466 Mass. 655, 674 (2013) (Diatchenko I); Miller v. Alabama, 567 U.S. 460, 471 (2012); Graham v. Florida, 560 U.S. 48, 75 (2010)). Since brain development in emerging adulthood is ongoing, the Board also considers the following factors when evaluating parole candidates who committed the underlying offenses as an emerging adult: 1) a lack of impulse control in emotionally arousing situations; 2) an increased likelihood to engage in risk taking behaviors in pursuit of reward; 3) increased susceptibility to peer influence which makes emerging adults more likely to engage in risky behavior; and 4) an emerging adult's greater capacity for change. See Mattis, 493 Mass. at 225-229.

DECISION OF THE BOARD: This was Mr. Therrien's initial hearing. Mr. Therrien became parole eligible pursuant to Commonwealth v. Mattis, 493 Mass. 216 (2024). Mr. Therrien has been in custody for 57 years, during which time he participated in 24 successful furloughs and successfully served 3 years at the Concord Farm. A forensic psychological evaluation determined that Mr. Therrien is at low risk of reoffending. Throughout Mr. Therrien's incarceration, he has been employed in trusted positions. Mr. Therrien has not had a disciplinary report in the past 30 years. Mr. Therrien has been sober for over 30 years. The Board considered emerging adult factors in making its determination. He earned his bachelor's degree from Boston University in 1999. Mr. Therrien has a strong community base and solid plan for release.

The Board considered opposition testimony from Ms. Natoli's family members. The Board also considered opposition testimony from Middlesex County Assistant District Attorney Alicia Walsh. The Board considered the testimony of Mr. Therrien's sister, a friend, and Dr. Frank DiCataldo, all of whom spoke in support of parole.

SPECIAL CONDITIONS: Approve home plan before release; Report to the assigned MA Parole Office on day of release; Waive work for medical reasons; Must take prescribed medication; Supervise for drugs with testing in accordance with Agency policy; Supervise for liquor abstinence with testing in accordance with Agency policy; No contact with victim(s)' family; Must have mental health for adjustment and relapse prevention.

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.



Tina M. Hurley, Chair

12/18/24

Date