



Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Daniel Bennett
Secretary

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone # (508) 650-4500

Facsimile # (508) 650-4599



Paul M. Treseler
Chairman

Michael J. Callahan
Executive Director

DECISION

IN THE MATTER OF

ALLEN BILODEAU
W34418

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **August 9, 2016**

DATE OF DECISION: **December 8, 2016**

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, 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, the age of the inmate at the time of 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 five years from the date of the hearing.

I. STATEMENT OF THE CASE

On January 24, 1974, Allen Bilodeau pled guilty to the second degree murder of Monica Tims. He also pled guilty to assault with intent to rape Ms. Tims. Mr. Bilodeau was given two life sentences to be served concurrently.¹

On the evening of April 27, 1973, Mr. Bilodeau and Henry Bys, Jr. (co-defendant) were riding around in Mr. Bys' station wagon, "looking to pick up girls." They had done this on previous occasions. After driving around several college campuses in the Amherst area, they saw a young lady (the victim) hitchhiking. Mr. Bys asked Mr. Bilodeau to pick her up and stated that he wanted to have sexual intercourse. Monica Tims, a student at Smith College, got into

¹ Mr. Bilodeau was initially charged with first degree murder and assault with intent to rape, but agreed to plead guilty to the crimes of murder in the second degree and assault with intent to rape. Mr. Bilodeau then became a witness for the Commonwealth against his co-defendant Henry Bys, Jr. A jury convicted Mr. Bys of first degree murder and assault with intent to rape.

the back seat and said that she wanted to go to Northampton. As Mr. Bilodeau continued driving toward Northampton, Mr. Bys climbed into the backseat and sat next to Ms. Tims. He made physical advances toward her, which she resisted. Ms. Tims began to struggle and scream, begging to be let out of the car so that she could go home. Mr. Bys struck Ms. Tims a number of times, as they continued to struggle. The car then became stuck in the mud on a beach, near an extension of the Connecticut River known as the Oxbow. Mr. Bilodeau looked into the back seat and saw that the victim's top was pulled up and her face covered with blood. Mr. Bys was on top of her and appeared to be trying to have sexual intercourse with her.

Mr. Bilodeau walked away from the car, but Mr. Bys drove the car to him (with Ms. Tims in the back seat) and stopped. Mr. Bys asked Mr. Bilodeau to help him carry Ms. Tims to the water. After first refusing, Mr. Bilodeau helped Mr. Bys with this task, but Ms. Tims started to kick her feet and they dropped her. After Mr. Bys punched her, the two men picked her up and carried her to the water. As Mr. Bilodeau walked away, he saw Mr. Bys strike Ms. Tims on the head twice with a tire iron, and he heard eight or nine similar thumps. When the men tried to leave, the car became stuck in the mud again, and they were unable to get it out. The two men eventually hitchhiked home. On April 28, three men (who were fishing at the Oxbow) discovered Ms. Tims' body about 80 feet from Mr. Bys' car. Mr. Bys and Mr. Bilodeau were subsequently arrested and charged with Ms. Tims' murder and assault with intent to rape.

II. PAROLE HEARING ON AUGUST 9, 2016

Mr. Bilodeau, now 67-years-old, appeared before the Parole Board for a review hearing on August 9, 2016. Mr. Bilodeau was paroled to the community in April 1988, after receiving a positive parole vote at his initial hearing. He remained in the community for approximately four years before being returned to custody for a parole violation. Mr. Bilodeau did not give an opening statement to the Board at this hearing. The Board asked Mr. Bilodeau if he wanted to say anything about his 2011 review hearing.² Mr. Bilodeau responded by saying that he was in a "bad mood" that day. He stated that he was scared and had gotten "tired of parole boards."

Mr. Bilodeau was asked to discuss the time he spent on parole and the events that resulted in his return to prison. He said that when he was released, he went to live with his wife, whom he had married while he was incarcerated. Mr. Bilodeau initially got a job with a shoe company, and then with a book distributor. Mr. Bilodeau said that, in 1992, he was involved in an extra-marital relationship with a female coworker. According to Mr. Bilodeau, they started out as friends, but she "wanted more" and it developed into a romantic relationship. Mr. Bilodeau stated that at the time, he and his wife were having problems with their marriage, including financial and family issues. When asked how he violated his parole, Mr. Bilodeau said that the woman he was having an affair with (falsely) stated that he was stalking and following her. Mr. Bilodeau maintains that he broke off the relationship, which he believes to be the reason that she made those allegations. The Board questioned him as to whether it was a coincidence that the accusations made against him were eerily similar to the pattern of behavior demonstrated in his underlying crime. Mr. Bilodeau responded that after he was arrested, his parole officer told his ex-wife that the woman who made the allegations against him "put on a hell of an act."

² At his August 2, 2011 hearing, while being questioned by the Board, Mr. Bilodeau abruptly ended the hearing stating, "I don't want a parole, I want to go back to my cage." He refused to answer any further questions.

Mr. Bilodeau also discussed the events (that he can recall) from the night of the murder, as he claims to have issues with his memory of the crime. As a child, he sustained injuries to his head, but is unsure as to whether those events contributed to his poor memory. Mr. Bilodeau said that he and Mr. Bys would occasionally pick up hitchhikers (both men and women) and act as a sort of taxi service. With regard to what he could recall of his role in the crime, Mr. Bilodeau said that he only remembers driving the car and helping his co-defendant carry the victim to the water. When questioned about his participation in the murder, Mr. Bilodeau acknowledged that he continued to drive the car, despite knowing what Mr. Bys was doing to the victim in the backseat. According to Mr. Bilodeau, he could hear Mr. Bys punching Ms. Tims in the face. He said that he asked Mr. Bys to stop, but Mr. Bys told him to "shut up and drive." After Mr. Bilodeau parked the vehicle in an abandoned area, he and Mr. Bys exited the car. Mr. Bys was carrying a tire iron and instructed Mr. Bilodeau to help him carry Ms. Tims down to the water. Mr. Bilodeau said he knew that Ms. Tims was still alive as they carried her, since she was "kicking." Mr. Bilodeau said that he and Mr. Bys then dropped the victim in the water. Mr. Bilodeau started to walk away, while Mr. Bys struck the victim in the head with the tire iron, a number of times. The Board asked Mr. Bilodeau what he now thinks about the events of that night. Mr. Bilodeau said it is hard to describe, but that it "tears me apart, when I know I could've done something and I didn't."

While addressing how he presently spends his time, Mr. Bilodeau said that he works five days a week in the optical shop. Since his last hearing in 2011, Mr. Bilodeau has participated in Alcoholics Anonymous (AA) Big Book and a Christian 12 Step program based on AA. At the time of this hearing, he was on the waiting list for the Alternatives to Violence Program and the Sex Offender Treatment Program (SOTP). Mr. Bilodeau had previously begun the SOTP, but left during the first phase of the program. The Board noted that over the years, Mr. Bilodeau has been asked by the Board to participate in SOTP, as well as programming for violence reduction, in order to reduce his risk to re-offend. The Board expressed concern as to how few programs Mr. Bilodeau participated in, while incarcerated. When asked why he had refused to take the SOTP in the past, Mr. Bilodeau said that, in the past, he felt he didn't need it because "I didn't rape anybody, it was an attempted, and I'm not the type of person to rape anybody." He said that he is now willing to participate in the SOTP, so that he can get help with his "other dysfunctions." When asked what issues he has, Mr. Bilodeau stated that he had issues with lying at one time and with being "self-seeking." He said that he is also dealing with anger issues, but now when he starts to get angry, he speaks with a "Christian brother" or a member of the clergy.

Mr. Bilodeau did not have any supporters in attendance at his hearing. The Board received a letter from one of Mr. Bilodeau's friends in support of parole. Northwestern Assistant District Attorney Thomas H. Townsend submitted a letter on behalf of District Attorney David E. Sullivan in opposition to Mr. Bilodeau being granted parole. ADA Townsend testified briefly at the hearing, noting that a 1973 statement to the police from Mr. Bilodeau's co-defendant (Mr. Bys) indicated that Mr. Bilodeau spent some time in the backseat with the victim and that he participated in beating the victim, as well.

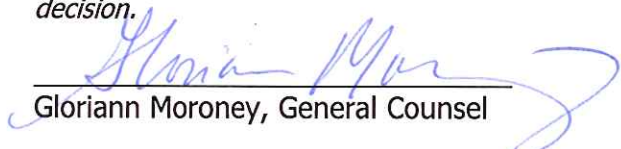
III. DECISION

The Board is of the opinion that Mr. Bilodeau has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes that Mr. Bilodeau continues to make no effort in addressing his causative factors, and that he must engage in treatment and programming to include the Sex Offender Treatment Program (SOTP) and substance abuse treatment. The Board believes that a longer period of positive institutional adjustment and programming would be beneficial to Mr. Bilodeau'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. Bilodeau'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. Bilodeau's risk of recidivism. After applying this standard to the circumstances of Mr. Bilodeau's case, the Board is of the unanimous opinion that Mr. Bilodeau is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Bilodeau's next appearance before the Board will take place in five years from the date of this hearing. During the interim, the Board encourages Mr. Bilodeau 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

12/8/16
Date