



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

The Commonwealth of Massachusetts
Executive Office of Public Safety
Parole Board

12 Mercer Road
Natick, Massachusetts 01760

Telephone # (508) 650-4500
Facsimile # (508) 650-4599



Josh Wall
Chairman

DECISION

IN THE MATTER OF

JAMES ALLEN

W54114

TYPE OF HEARING: Review Hearing after Revocation

DATE OF HEARING: May 15, 2012

DATE OF DECISION: December 12, 2012

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Dr. Charlene Bonner, Shelia Dupre, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: Parole is denied with a review in five years. The decision is unanimous.

I. STATEMENT OF THE CASE

James Allen, at age 32, assault and beat Henry Long, age 47, to death on May 10, 1991 in Kingston. Allen and Long had a dispute three weeks before the murder. After drinking at Pam Folchi's home, Allen and George Fraser dragged Long from Folchi's home and threw him off the porch. Allen kicked Long numerous times in the head and jumped on him. Long weighed 120 pounds and was unable to resist the assault. Long died the following day. The medical examiner determined that Henry Long suffered severe head trauma including a skull fracture and bleeding in the brain. The medical examiner documented numerous abrasions and contusions to face, head, and body of Henry Long. Kingston police arrested Allen on May 11, 1991.

A jury convicted Allen of second-degree murder in March 1993 and he was sentenced to life in prison with parole eligibility after 15 years. Allen's co-defendant George Fraser pled guilty to manslaughter.

Allen's criminal record includes several prior offenses. He has three prior convictions for breaking and entering, and convictions for possession of a dangerous weapon, assault and battery, larceny from a building, operating under the influence, and possession of burglarious

tools. While under parole supervision on this life sentence, Allen was arrested and convicted for breaking and entering in the nighttime and breaking and entering into a motor vehicle.

II. PAROLE HISTORY

Allen was released on parole on September 12, 2006 following his initial parole hearing. He completed a residential treatment program and moved to a residence on the South Shore. After holding several jobs that each lasted only a short time, he completed HVAC training and obtained a job as an HVAC technician.

Allen was compliant with parole conditions until June 15, 2008 when he was arrested by Marshfield Police and charged with breaking and entering in the night time and breaking and entering a motor vehicle. His parole was revoked. He was convicted of the two crimes and sentenced to serve two years in the Plymouth House of Correction. After completing the House sentence, Allen sought re-parole. Parole was denied after a hearing on April 17, 2010; the Board granted a two-year review.

III. PAROLE HEARING ON MAY 15, 2012

James Allen informed the Board that his relapse on parole was triggered by reconnecting with his brother. Allen stated that he relapsed on June 13, 2008 when he drank wine coolers while visiting family after working with his brother. The following day, he again consumed alcohol with his brother and "blacked out" in the early morning hours of June 15. He stated that he did not recall entering a stranger's home or an unoccupied vehicle. He advised that he just needs to stay away from his brother, Robert, who is an alcoholic.

The inmate is now 53 and has been incarcerated for 17 years. He currently is seeking a return to Bridgewater State Hospital to work as a cadre. He has three disciplinary reports, with the last one occurring in 2003. Since his return to custody he has completed the Correctional Recovery Academy and attended 12 Steps and AA meetings.

Board Members returned several times to the issue of the inmate's alcoholism and relapse that resulted in criminal conduct and blackouts. Allen held his ground: fault lay not with himself, but with his brother. Allen started working shortly before the relapse and he acknowledged that he stopped attending counseling and AA meetings after employment. When asked if it set things in motion by reducing his commitment to maintaining sobriety, Allen denied a connection between his reduced commitment to counseling and his decision to drink. Instead he refocused blame on his brother. It appears that Allen did not gain sufficient insight or understanding from the Correctional Recovery Academy or AA.

The inmate's sister, two daughters and girlfriend testified in support of parole. The victim's daughter, son, and Plymouth County Assistant District Attorney Karen O'Sullivan testified in opposition to parole.

IV. DECISION

James Allen violated his parole when he consumed alcohol, committed new offenses, and blacked out due to extreme intoxication. At his hearing, Allen showed little understanding of his alcohol problem or the public safety risks involved. He took little responsibility for his drinking or his crimes on parole. Allen's program participation since his revocation shows limited and inadequate returns. He needs to approach his rehabilitation with more honesty, objectivity, and effort. He is not suitable for parole because at this point he is likely to reoffend

and his is release is not compatible with the welfare of society. Accordingly, parole is denied with a review in five years.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing. This signature does not indicate authorship of the decision.


Timothy V. Dooling, General Counsel

Dec. 12, 2012
Date