



**Charles D. Baker**  
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Lieutenant Governor

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*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

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**Paul M. Treseler**  
Chairman

**Michael J. Callahan**  
Executive Director

**DECISION**

**IN THE MATTER OF**

**ANDREW MILLYAN**

**W38957**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** November 1, 2016

**DATE OF DECISION:** May 2, 2017

**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 a suitable candidate for parole. Parole is granted to an approved home plan with special conditions.

**I. STATEMENT OF THE CASE**

On May 21, 1982, a jury in Suffolk Superior Court convicted Andrew Millyan of first degree murder in the shooting death of Dana Hill. Mr. Millyan was sentenced to life without parole. In 1984, the verdict was reduced to murder in the second degree after a post-conviction motion in Suffolk Superior Court, thus making Mr. Millyan eligible for parole after serving 15 years of his life sentence.<sup>1</sup>

On September 20, 1981, several people attacked and stabbed a friend of Mr. Millyan's outside the Sand Bar Lounge in Revere. One of the assailants told the friend, "Your buddy Andy [Millyan] is next." The friend, who was hospitalized, then told Mr. Millyan (age 25) about the attack. The following day, Mr. Millyan and his co-defendants, Arthur Corbett and Robert Cobb, obtained a shotgun and drove to the Sand Bar Lounge. Mr. Millyan had the shotgun and

<sup>1</sup> There are two co-defendants in this case, Arthur Corbett and Robert Cobb.



entered the bar with Mr. Cobb, while Mr. Corbett remained in the car. Mr. Millyan stopped a few feet from the door, shouting threats to the patrons in the bar who had assaulted his friend. Mr. Millyan then pointed his shotgun toward the rear of the bar and fired one shell containing about 300 pellets. Dana Hill, a bystander who was playing pool in the back of the bar, happened to be in the direct line of fire. The shotgun blast struck Mr. Hill in the face and he fell to the floor, while the rest of the customers scattered for protection. Mr. Millyan and Mr. Cobb then ran to the car. Mr. Corbett drove them away from the scene, and Mr. Millyan disposed of the shotgun. Mr. Hill lapsed into a coma and died three days later from the gunshot wounds.

## **II. PAROLE HEARING ON NOVEMBER 1, 2016**

Andrew Millyan, now 60-years-old, appeared before the Parole Board on November 1, 2016, for a review hearing. He was not represented by counsel. Mr. Millyan was first paroled to the community in 2002. In 2008, he was returned to custody and his parole revoked, following an arrest and subsequent conviction for possession of marijuana with intent to distribute. He was re-paroled in 2009, but his parole was again revoked in 2012 for possession of marijuana and negligent operation charges and subsequent convictions. He was denied parole, with a review in three years, after his hearing in 2013.

In Mr. Millyan's opening statement to the Board, he took full responsibility for the murder of Mr. Hill and for his parole failures. He apologized to the victim's family and friends, and also to the Parole Board. He said that he was ashamed of his criminal behavior and acknowledged that he minimized his marijuana addiction at his last hearing in 2013. He said, "I now realize that I have no one to blame, but myself, for my choices and actions." He also told the Board that his recent cancer diagnosis, and subsequent treatment, made him realize that he needs to change his way of thinking to effectively address his substance abuse. He acknowledged that he needs to be proactive and self-aware in order to remain successful on parole.

Mr. Millyan discussed his activities in prison after his most recent return to custody and stated that he made significant progress in rehabilitation. Since his return to custody in 2012, he has engaged in positive programming, including: Pathways to Freedom, Men's Work, cognitive skills programs, Criminal Thinking, Violence Reduction, Alternatives to Violence, AA Big Book, and religious services. He told the Board that he currently participates in Correctional Recovery Academy (CRA) programs on a daily basis, and that he attends AA meetings twice a week. He is not currently employed due to cancer and his frequent visits to the hospital for treatment. However, he maintains a strong work ethic and keeps himself busy through programming. Mr. Millyan has a barber certificate and has completed many employment-related programs, such as computer skills classes and graduate support programs. He receives positive housing evaluations and has not received a disciplinary report in over a decade.

The Board questioned Mr. Millyan about his parole failures. Mr. Millyan said that when he was first released on parole in 2002, he was gainfully employed as a cabinet maker for a company in Framingham. He said that he attended church and AA meetings weekly. He began to relapse into substance abuse, however, about a year after his release, when he met his (now) ex-wife. He knew she used drugs (marijuana) and alcohol, but he convinced himself that "as long as I am not using, I'll be ok." He said that he now knows his attitude was wrong, as it led him to smoking marijuana with his ex-wife on a regular basis. Mr. Millyan told the Board



that he divorced his wife upon his return to custody in 2008. However, when he was re-paroled in 2009, he had not managed to control his addiction. He told the Board, "I am embarrassed and ashamed to be back here before you...you gave me two breaks and I messed it up." However, unlike his prior paroles, he now feels that he has the skills, self-awareness, and community support to remain substance abuse free. He explained that he plans on living with good friends, who have offered him a room in their house. He will be close to a support network and group of friends that will help him maintain his sobriety. His prior employer in Framingham has offered him a job, if paroled, and he plans on attending AA and church services several times a week.

Mr. Millyan's two friends (his former AA sponsor and his former employer) each testified in support of parole. A letter of opposition was submitted by the Suffolk County District Attorney Charles Bartoloni.

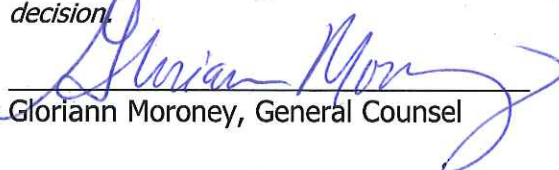
### **III. DECISION**

Andrew Millyan has invested in rehabilitation since his last hearing in 2013. He has completed numerous programs to include: CRA; Graduate Management Program; Alternatives to Violence Program; and Violence Reduction. He has provided a solid re-entry plan and has numerous supports in the community.

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. Millyan's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Millyan's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Millyan's case, the Board is of the unanimous opinion that Andrew Millyan is a suitable candidate for parole. Parole is granted to an approved home plan with special conditions.

**SPECIAL CONDITIONS:** Approve home plan before release; Waive work for medical issues; Must be home between 10:00pm and 6:00am; ELMO, GPS at Parole Officer's discretion; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; Must have mental health evaluation and adhere to plan; AA/NA at least three times per week.

*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

5/2/17  
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Date