



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



**PAROLE BOARD**

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**DECISION**

**IN THE MATTER OF**

**CHARLES DOUCETTE**

**W51582**

**TYPE OF HEARING:** **Review Hearing**

**DATE OF HEARING:** **March 1, 2022**

**DATE OF DECISION:** **October 19, 2022**

**PARTICIPATING BOARD MEMBERS:** Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa

**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 two years from the date of the hearing.<sup>1</sup>

**I. STATEMENT OF THE CASE**

On December 3, 1991, in Essex Superior Court, Charles Doucette pleaded guilty to the second-degree murder of 30-year-old Raymond Bufalino and was sentenced to life in prison with the possibility of parole. On that same date, he also received concurrent life sentences for two counts of armed robbery, two counts of armed assault in a dwelling house, and two counts of stealing by confining or putting in fear. He received 9-10 years concurrent for breaking & entering daytime with intent to commit a felony and putting person in fear, and 9-10 years concurrent for assault and battery by a dangerous weapon.

<sup>1</sup> One Board Member voted to deny parole with a review in three years.

Raymond Bufalino worked at a Texaco service station in Salem owned by Charles Doucette's father. Charles Doucette loaned money to Mr. Bufalino and became upset when payment of the loan was not forthcoming. Mr. Doucette was further angered by Mr. Bufalino's assertion that he had been injured at work and might file a lawsuit against his father's business. Unable to contain his anger over these two financial matters, Mr. Doucette (age 27) shot Mr. Bufalino on February 21, 1987, as they were seated together in Mr. Bufalino's car near the Salem-Peabody town line. Mr. Doucette shot Mr. Bufalino once behind the right ear and once in the mouth. He was charged with murder two days later.

The murder case followed a highly unusual path through the criminal justice system. While out on bail awaiting trial, Mr. Doucette approached a Commonwealth witness and threatened to kill her. The witness reported the incident and Mr. Doucette was indicted for intimidation of a witness. A jury convicted Mr. Doucette of first-degree murder on October 6, 1988, but the Superior Court trial judge vacated the verdict on October 7 and released him. The trial judge did not issue a decision stating his reasons for vacating the conviction. The Supreme Judicial Court reinstated the first-degree murder verdict on September 25, 1990, which returned Mr. Doucette to prison to serve life without parole. Mr. Doucette then filed a motion for new trial on September 28, 1990, which the Superior Court judge allowed on November 5, 1990. The Parole Board does not have information about the claims of error alleged in the motion for new trial, nor is it aware of the grounds for the motion that prompted the trial judge to vacate the first-degree murder verdict after reinstatement by the Supreme Judicial Court. Like his ruling vacating the verdict, the trial judge ordered a new trial without issuing a substantive decision.

When Mr. Doucette faced a second trial, he posted bail and was released on March 22, 1991. While on bail and awaiting trial, Mr. Doucette committed two violent home invasions – one in Lynnfield and one in Peabody. In December 1991, Mr. Doucette faced a second trial on the murder charge with a different trial judge presiding. He pleaded guilty on December 3, 1991, to the second-degree murder of Raymond Bufalino and received a life sentence with parole eligibility in 15 years. Mr. Doucette also pleaded guilty to intimidation of a witness, and the charge was placed on file without a sentence imposed. On the same day, he pleaded guilty to crimes he committed in the Lynnfield home invasion. He received six life sentences for two counts of home invasion, two counts of armed robbery, and two counts of stealing by confining or putting a person in fear. He also pleaded guilty to crimes committed in the Peabody home invasion and received 10 to 15 years for home invasion and armed robbery. All sentences, including the seven life sentences, were concurrent.

## **II. PAROLE HEARING ON MARCH 1, 2022<sup>2</sup>**

Charles Doucette, now 62-years-old, appeared before the Parole Board for a review hearing on March 1, 2022, and was represented by student attorneys from Boston College Law School. Mr. Doucette had been granted parole after his initial hearing in 2006, but was returned to custody in 2011. He was denied parole after his review hearings in 2012 and 2017. In his opening statement to the Board, Mr. Doucette apologized to Mr. Bufalino's family for his actions. He stated that he is not asking for forgiveness since he does not forgive himself for what he did. When Board Members noted that the evidence presented at trial indicated that

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<sup>2</sup> The entire video recording of Mr. Doucette's March 1, 2022 hearing is fully incorporated by reference to the Board's decision.

Mr. Bufalino had been executed, Mr. Doucette responded that he accidentally shot him in the head (twice). Although he admitted responsibility for Mr. Bufalino's death, Mr. Doucette denied that it was intentional, claiming that he was only trying to intimidate him into signing a workman's compensation waiver. Mr. Doucette told the Board that he was waving his gun around when it accidentally discharged and struck Mr. Bufalino. While out on bail awaiting retrial for Mr. Bufalino's murder, Mr. Doucette renewed his acquaintance with two friends who made money by robbing drug dealers. Mr. Doucette explained that he needed money for a new attorney, so he participated in two armed robberies with these friends.

Mr. Doucette stated that his initial transition to parole supervision was positive. He joined the Teamsters Union and started his own construction business. Although he attended AA meetings as required, Mr. Doucette admitted that he frequently left these meetings early. He stated that he was sober and did not require this type of counseling. Mr. Doucette claimed that his failure on parole was due to his relationships with bipolar, alcoholic women, where he mistakenly thought he could help them. When he had a girlfriend at a sober house who relapsed, Mr. Doucette claimed that he tried to break off the relationship. Mr. Doucette, however, was accused of raping her, but criminal charges were ultimately dropped. Mr. Doucette stated that another relationship ended in similar fashion in February 2001, when an argument devolved into a physical altercation. Mr. Doucette denied reports, however, that he threatened to shoot his girlfriend in the head. Rather, he claimed that she hit and scratched him. He was arrested, but then acquitted at trial. Additionally, Mr. Doucette admitted that he allowed another woman to live in his house without the approval of his parole officer.

Since his return to prison, Mr. Doucette maintains that he has an "impressive institutional record." Although Mr. Doucette participated in a violence reduction program upon return, he has not attended any other programs since, claiming that he was not eligible. Mr. Doucette stated that he has remained sober since 2006, and that he currently works in the Maintenance Department five days a week. Mr. Doucette stated that he recently received two stents in his heart, which limits his physical activity and employment opportunities.

Mr. Doucette's sister testified in support of parole. Mr. Bufalino's wife testified in opposition to parole. A representative from the Victim Services Unit read into the record three statements in opposition to parole from Mr. Bufalino's sister, brother, and niece. Essex County Assistant District Attorney Elin Graydon testified and submitted a letter in opposition to parole.

### **III. DECISION**

The Board is of the opinion that Charles Doucette has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Doucette has been back in custody since 2011 after two parole failures that resulted in serious criminal charges, to include ABDW (assault and battery with a dangerous weapon), threats, and witness intimidation. Although he was not convicted of these offenses, the victim in this incident obtained a lifetime restraining order, which remains open. Despite his missteps on parole which involved dating relationships, Mr. Doucette continues to minimize his culpability and shift blame. He presented as lacking candor and insight as to his history on parole. Since his last hearing in 2017, he has yet to engage in any rehabilitative programming. The Board encourages Mr. Doucette to engage in any available programming that focuses on domestic violence or healthy relationships, so that he can demonstrate he has developed insight.

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. Doucette'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. Doucette's risk of recidivism. After applying this standard to the circumstances of Mr. Doucette's case, the Board is of the unanimous opinion that Charles Doucette is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Doucette's next appearance before the Board will take place in two years from the date of this hearing. During the interim, the Board encourages Mr. Doucette to continue working toward 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.*

  
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Pamela Murphy, General Counsel

10/19/22  
Date