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PAROLE BOARD

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DECISION

IN THE MATTER OF

CHARLES THOMPSON
W60002

TYPE OF HEARING: Review Hearing after Revocation

DATE OF HEARING: October 25, 2011

DATE OF DECISION: December 17, 2012

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

DECISION OF THE BOARD: Mr. Thompson's request for parole is denied. The review of that decision will be in three years. The Board members agreed unanimously that Mr. Thompson's release is not compatible with the welfare of society at this time.

I. INTRODUCTION

Mr. Thompson appeared before the Parole Board on October 25, 2011 for a review hearing (due to a parole violation) on the life sentence he is currently serving. On January 30, 1996, following a trial in Norfolk Superior Court, Mr. Thompson was convicted of unarmed robbery and sentenced to life imprisonment as a habitual offender. Mr. Thompson paroled from his life sentence on January 28, 2010. He returned to custody on a parole violation on August 2, 2010.

II. STATEMENT OF THE CASE

On October 9, 1994, at approximately 1:00 a.m., Mr. Thompson and his co-defendant targeted and accosted Dr. Eugene Vaninov in the vestibule of his apartment building in Brookline. Dr. Vaninov was returning home with his wife, and thirteen year old daughter. Doctor Vaninov had just dropped his wife off and was parking his car when he noticed Mr. Thompson get out of a gray motor vehicle and quickly follow Mrs. Vaninov into the building. Mr. Thompson initially targeted and followed Mrs. Vaninov but she was able to hurry into her apartment and shut the door.

Dr. Vaninov instructed his daughter to remain in the vehicle and approached the building. He entered the building and noticed Mr. Thompson standing in the vestibule. Mr. Thompson approached Dr. Vaninov and violently attacked him, punching him in the face repeatedly, breaking his glasses, knocking him to the floor and threatening to kill him. He snatched Dr. Vaninov's wallet, seized his watch, and fled. Mr. Vaninov returned to his apartment and reported the crime to the Brookline Police.

At approximately 1:15 a.m., two Boston municipal housing police officers noticed Mr. Thompson's car in a high crime area with two people inside. Upon approaching to make a threshold inquiry the officers observed damage to the car's steering column and confirmed it had been stolen. Mr. Thompson jumped from the car and began to run but was shortly apprehended and arrested along with his co-defendant. Along with other stolen property, Dr. Vaninov's wallet was found in the car, Mr. Thompson was wearing Dr. Vaninov's watch and his co-defendant had Dr. Vaninov's credit cards in his pockets.

III. CRIMINAL AND INSTITUTIONAL HISTORY

Mr. Thompson is currently serving his second state and fourth adult incarceration. His lengthy criminal record began at age 11. His juvenile record consists of 31 arraignment appearances to address 52 criminal charges and resulted in four DYS commitments for burglary, larceny, and assaultive crimes.

Mr. Thompson's adult criminal record began at age 17 in 1978. In total, it consists of 15 arraignment appearances to address 55 charges, mostly armed robbery, possession of firearms, and assaultive crimes. In 1979, he was committed for 9 to 15 years for several counts of armed robbery, robbery, and A&B w/ DW. He reportedly robbed nine females at knifepoint in Brookline. His poor institutional adjustment for that incarceration resulted in 65 disciplinary reports and five returns to higher custody. He was paroled from this sentence twice. He first paroled in 1986 and was returned after a new arrest for two counts of motor vehicle larceny. He received a 2 year (later amended to 1 year) intervening sentence to Deer Island House of Correction. In January 1988, he discharged from the intervening sentence and was returned to MCI Concord to serve the remaining portion of his state sentence. In April 1988, he paroled for a second time. Two months later, in June 1988, he violated parole with a new arrest for carrying a dangerous weapon (firearm) and possession of ammunition. He received a one year House of Correction sentence to be served from and after the governing state sentence.

Mr. Thompson was released from custody in 1992 and reports that he returned to the same neighborhood, and resumed smoking crack cocaine and robbing to support his drug habit. In 1993 he was charged with the murder of his brother. He took the case to trial and was found not guilty. He was released in 1994 and again returned to his lifestyle of drug abuse and crime until being arrested for the current offense in October 1994.

Mr. Thompson was incarcerated on this life sentence for over 15 years. He received 15 disciplinary reports with one return to higher custody. He had disciplinary reports for fighting in 2000 and 2001. He participated in almost no programming until 2006 when he completed the Correctional Recovery Academy. His program participation increased in 2008 and 2009 when he completed several phases of Alternatives to Violence and Father's Group. Since return as a violator, Mr. Thompson received one disciplinary report in August 2010 for insolence and abusive language towards staff.

IV. PAROLE HISTORY

On January 28, 2010, Mr. Thompson was paroled to the Gavin House in South Boston and graduated on July 23, 2010. He temporarily moved in with his mother in Dorchester while awaiting a bed at the Wise Street Program. On August 2, 2010, his parole officer received an anonymous phone call indicating that Mr. Thompson was arrested and being held on new charges. The parole officer learned that Thompson had been arrested on July 28, 2010 for A&B and A&B with Dangerous Weapon and was being held at the Nashua Street Jail. A parole warrant for temporary custody was lodged and a Parole Violation Report was issued.

Mr. Thompson's parole violations were: new arrest and failure to notify parole officer of new arrest. On July 28, 2010 at 10:36 a.m., Boston Police went to 158 Walnut Ave for a report of domestic violence. The calling party directed the police to a park where Charles Thompson had been observed assaulting a woman (later identified as Katherine Hurd) and that he was fleeing the scene. Police stopped Thompson who stated, "I grabbed her by the throat, but she hit me too." Police placed Thompson in handcuffs.

Police then spoke with victim, Katherine Hurd, who stated that Thompson was her boyfriend and she returned home to find him inside her apartment. Thompson began to verbally abuse her then knocked her onto her bed and pinned her down. She stated that he grabbed her face with one hand and then pressed his elbow down on her throat, causing her to experience difficulty breathing. She tried to break free, but he slammed her against the wall and threatened to cut her throat. She eventually was able to make her way out of the apartment. However, Thompson followed, grabbed her by the arm, and began yelling at her.

Police noted that Ms. Hurd had several raised welts on her face as well as two small lacerations near her right eye, which she indicated were caused by Thompson's fingernails. Ms. Hurd also had redness and swelling on her back that she stated was caused by Thompson throwing her against the wall.

The reporting party told police that she heard screaming coming from the victim's apartment as well as banging on the walls. The witness observed the victim sitting on a park bench and also observed Thompson grabbing the victim when she tried to get away; Thompson continued to pull her back. Mr. Thompson was arrested for A&B and A&B w/ DW.

At his preliminary revocation hearing Mr. Thompson denied committing the offense. He stated he had gone to Ms. Hurd's apartment to gather his belongings and to end the relationship. He states she appeared to have been using drugs and that she "flipped out" when he proceeded to break up with her. Further, that she began screaming "don't hit me" and began banging on the walls. He admits he grabbed her by the shoulders, that he followed her to a park when she ran outside and moments later the police arrived. He denies ever telling the police that he grabbed her by the throat or that she had hit him.

In failing to notify his parole officer of his arrest, Mr. Thompson claims that while at Nashua Street Jail, he could only communicate with his mother and his attorney but could not explain why he did not have either one contact his parole officer.

On October 14, 2010, charges of A&B, A&B DW, and Assault w/ DW were dismissed in Roxbury District Court.

V. PAROLE HEARING ON OCTOBER 25, 2011

Mr. Thompson appeared before the Board seeking parole from his return to custody. Board members noted that Mr. Thompson had been paroled twice, in 1986 and 1988, both resulting in parole failures as the result of new crimes. Mr. Thompson admitted that he used drugs throughout his previous 9 to 15 year sentence but said, "for this sentence I committed to change." The Board also raised a number of concerns regarding Mr. Thompson's latest violation and return to custody. Board members pointed out that Mr. Thompson had only been on parole for six months and outside of a structured setting for only a few days before he violated his parole. Of major concern was the domestic nature of the new arrest specifically because of Mr. Thompson's long documented history of violence and assaultive behavior. One Board member noted that "much of your life has been about victimizing people."

Mr. Thompson placed blame for the domestic incident on Ms. Hurd; he did not describe himself as being angry, aggressive, or assaultive. His explanation for his arrest involving Ms. Hurd was implausible for a number of reasons: some of his behavior was seen and heard by an independent witness who summoned the police; Ms. Hurd's statements to the police were made immediately after the incident; the police observed injuries to Ms. Hurd that corroborated her statements; and Thompson made an incriminating statement to police. Mr. Thompson had very little program participation during the first 12 years of his sentence. His program involvement did not commence until 2006 and it is disconcerting that despite Mr. Thompson's programming he quickly violated his parole via a series of poor decisions. The Board discussed Mr. Thompson's failure to address his impulse control and poor judgment. Mr. Thompson's relationship with Ms. Hurd, and failure to recognize her drug use, highlighted an inability to foresee a potentially destructive situation. He acknowledges he should have focused on his parole performance. He presented as less than forthright and failed to take responsibility for the incident involving Ms. Hurd.

Three attendees gave testimony in support of Mr. Thompson's re-parole. Norfolk Assistant District Attorney Marguarite Grant spoke in opposition.

VI. DECISION

Within days of release from a residential program, Charles Thompson was involved in a domestic incident involving parole violations. In his hearing he failed to present a credible account of his conduct in the domestic incident. He demonstrated that he is not ready to live outside a structured setting. As the inmate acknowledged at his hearing, "I couldn't handle this short period of no structure." Mr. Thompson has more work to do to prepare for community re-integration. Mr. Thompson must continue to learn how to think and act when he is not in a structured setting. He needs to apply the skills he learns in programs. It is the unanimous opinion of the Board that Mr. Thompson would be likely to re-offend if released and his release is not compatible with the welfare of society. Re-parole is denied. The period of review will be three years, which will give Mr. Thompson time to work towards further rehabilitation.

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.


Caitlin E. Casey, Chief of Staff


Date