

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

CHRIS SCOTT

W35205

TYPE OF HEARING: Review Hearing

DATE OF HEARING: December 19, 2017

DATE OF DECISION: November 27, 2018

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 four years from the date of the hearing.

I. STATEMENT OF THE CASE

On November 5, 1975, in Suffolk Superior Court, Chris Scott pleaded guilty to the second degree murder of Hezekiah Brunson and was sentenced to life in prison with the possibility of parole. Mr. Scott also received concurrent sentences of 10-20 years for armed robbery and armed assault with intent to rob. In addition, Mr. Scott escaped from Bay State Correctional Center on September 29, 1985, while on furlough. He was returned to MCI-Cedar Junction on August 19, 1987, by Arizona authorities, after pleading guilty to the second degree murder of José Barnabe in Maricopa County Superior Court (Arizona). He was sentenced to 20 years, to run concurrent with his Massachusetts life sentence. On September 28, 1987, in Dedham Superior Court, Mr. Scott received a 1-3 year from and after sentence for escape from his furlough. This sentence was aggregated to his life term.

In the early morning of April 30, 1975, Chris Scott (age 25) and Hezekiah Brunson went to Mr. Scott's apartment after a night of drinking. While in the apartment, Mr. Scott and Mr. Brunson began arguing. The argument escalated, and Mr. Scott stabbed Mr. Brunson to death. Mr. Scott's wife, and a friend who was sleeping on Mr. Scott's couch, witnessed the murder. Mr. Scott and the friend hid Mr. Brunson's body in a vacant basement apartment in his building. Mr. Scott also went to Mr. Brunson's apartment to see if there was anything of value at his residence. The victim's body was discovered later that morning by a property superintendent. After the body was discovered, witnesses told police that they saw Mr. Scott murder Mr. Brunson. Mr. Scott was arrested the following day.

On September 29, 1985, while on furlough, Mr. Scott escaped from Bay State Correctional Center. He assumed a fake identity and went to Arizona to reunite with an ex-girlfriend and his daughter. On January 26, 1987 (while in Arizona), Mr. Scott had an altercation with José Barnabe and beat him to death with his fists and a stick. Mr. Scott was arrested about a month after this murder.

II. PAROLE HEARING ON DECEMBER 19, 2017

Chris Scott, now 68-years-old, appeared before the Parole Board for a review hearing on December 19, 2017. He was represented by Attorney John Rull. Mr. Scott waived his parole hearings in 1992, 1994, and 1998. Mr. Scott was denied parole after his initial hearing in 2002, as well as after his review hearings in 2007 and 2012. In his opening statement to the Board, Mr. Scott took responsibility for his crimes and apologized to his victims' families. Atty. Rull told the Board that Mr. Scott earned his G.E.D. and is enrolled in pre-college classes. Additionally, he noted that Mr. Scott had completed over 40 programs, including Alternatives to Violence, Correctional Recovery Academy, substance abuse programs, and vocational training.

The Board noted that Mr. Scott was charged with the felony murder of an elderly woman when he was 18-years-old (although he was found not guilty), that he murdered Mr. Brunson when he was 25-years-old, and that he murdered Mr. Barnabe when he was 36-years-old. The Board asked Mr. Scott why he had not turned his life around earlier. Mr. Scott responded that when he was under the influence of alcohol, cocaine, and heroin, he would flashback to childhood abuse and violently attack his victims. When the Board asked whether he would kill again, if he relapsed (with drugs or alcohol), Mr. Scott answered, "I wouldn't want to take the chance."

The Board noted that Mr. Scott stabbed Mr. Brunson 27 times and questioned him as to the severity. Mr. Scott said that he acted out of fear because his victim was a large man, and out of hatred, because his victim was a homosexual who had propositioned him earlier in the evening at a local bar. The Board questioned Mr. Scott as to why he invited the victim back to his house, if he feared and hated him so much. Mr. Scott said that Mr. Brunson and his (Mr. Scott's) ex-wife were both prostitutes at one time and had been fighting about competition. If he brought Mr. Brunson home, Mr. Scott thought that Mr. Brunson and Mrs. Scott could settle their differences. The Board noted that Mr. Scott's former wife testified that she did not know Mr. Brunson. Mr. Scott maintained, however, that his ex-wife knew the victim.

Board Members questioned Mr. Scott as to whether he could succeed on parole. Mr. Scott said that he didn't feel institutionalized and stated that, while on escape, he had a positive adjustment and held down a job. The Board noted, however, that Mr. Scott murdered a man when he was high on heroin, crack cocaine, and alcohol. The Board noted that Mr. Scott beat a

man to death because the man called him a monkey and asked what would be different now, if he were released back into the community. Mr. Scott said that he has been sober for 28 years, and that he recognizes he over-reacted and was too defensive. Mr. Scott claims that, as a practicing Buddhist, he is now a peaceful man. When questioned about his last disciplinary report, Mr. Scott stated that it occurred in 2013 for fighting. Mr. Scott asked the Board to be reserved to a long-term residential program, after a 12 month step-down to lower security. After completing the residential program, Mr. Scott has an offer to live with his sister in Plainville and a job offer doing brick-laying and cement work. Mr. Scott said that he would continue to be involved in Alcoholics Anonymous and Narcotics Anonymous and would seek mental health counseling.

Mr. Scott's two sisters, nephew, daughter, and friend spoke in support of parole. Family and friends sent letters of support, as well. The Suffolk County District Attorney's Office and Boston Police Commissioner William Evans sent letters of opposition.

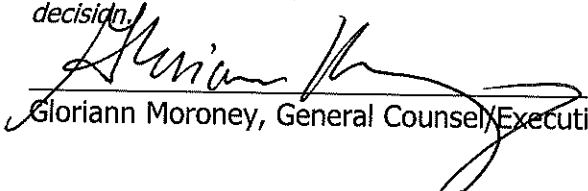
III. DECISION

The Board is of the opinion that Chris Scott has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Although Mr. Scott's institutional adjustment since being returned to Massachusetts has been largely without incident, and he has engaged in rehabilitation and occupational services, it is his lengthy and violent history that remains a concern.

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 consideration Mr. Scott'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 could effectively minimize Mr. Scott's risk of recidivism. After applying this standard to the circumstances of Mr. Scott's case, the Board is of the unanimous opinion that Chris Scott does not merit parole at this time.

Mr. Scott's next appearance before the Parole Board will take place in four years from the date of this hearing. During the interim, the Board encourages Mr. Scott to continue to work 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/Executive Director

11/27/18
Date