



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760



Christopher D. Baker
Governor

Karyn Polito
Lieutenant Governor

Daniel Bennett
Secretary

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

Charlene Bonner
Chairperson

Janis DiLoreto Smith
Executive Director

DECISION

IN THE MATTER OF

CHRISTOPHER BOUSQUET
W44500

TYPE OF HEARING: **Initial Hearing**

DATE OF HEARING: **December 18, 2014**

DATE OF DECISION: **February 18, 2015**

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, 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 in three years¹ from the date of the hearing.

I. STATEMENT OF THE CASE

On February 10, 1988, Christopher Bousquet was found guilty of first degree murder in Bristol Superior Court after a jury trial. Bousquet killed high school classmate, Lisa J. Lachance, age 16. The verdict was based on the conclusion that Bousquet killed Lachance with "deliberately premeditated malice aforethought" and with "extreme atrocity or cruelty." The facts of the crime are derived from police reports, filings by the District Attorney, and a decision by the Massachusetts Supreme Judicial Court. *Commonwealth v. Christopher R. Bousquet*, 407 Mass. 854 (1990).

¹ One Board Member voted to deny parole but with a review in two years.

Bousquet, age 16, murdered Ms. Lachance on June 14, 1982, in Swansea, Massachusetts. During a bus ride home from school, Bousquet and Lachance agreed to meet in a wooded area to smoke hashish that Bousquet had purchased from Lachance. They met, smoked the hashish, and got high.

Bousquet, who had also used LSD earlier that day,² thought that Lachance pulled a knife on him and demanded his money. Bousquet refused and pulled out his knife (which had brass knuckles attached to the blade). He punched her, which crushed the bone on the left side of her face. As Bousquet was punching her, he cut his thumb, saw the blood from the cut, and "flipped out." Bousquet then stabbed Lachance in the face, near her right eye. She tried to crawl away, but Bousquet continued to stab her in the head, back, legs, and groin area. In all, Bousquet stabbed Lachance twenty-seven to twenty-nine times. Some of the stab wounds were made while the blade was straight and others were made after the tip was bent during the application of force. When Lachance stopped moving, Bousquet threw the knife into the woods and kicked her in the head a few times. He then took Lachance's compact, which contained the eight dollars he used to buy the hashish. Bousquet ran home and told his mother that he had cut his thumb on a piece of glass. She took Bousquet to a local medical walk-in center where he received stitches.

Bousquet managed to evade suspicion and graduated from high school in 1984, obtained a certificate from a trade school in Rhode Island for auto mechanics, and worked in a body shop for approximately one year in Fall River before his arrest in 1986. Between May 1983 and September 1986 (the time leading up to his arrest), Bousquet had several adult arraignments. His adult record of convictions consisted of fines for drinking alcohol in public and for shoplifting, as well as receiving probation in Fall River District Court (from October 28, 1983 to August 1, 1985) for breaking and entering, larceny, and possession of a dangerous weapon that stemmed from an incident occurring on July 11, 1983. Bousquet was also arraigned on November 26, 1984 for two counts of assault with a dangerous weapon and affray, which were dismissed. In January 1986, Bousquet was assessed fines for possessing alcohol as a minor and for drinking alcohol in public.

On December 1, 1984 (over two years after the murder), the skeletal remains of Lachance were discovered in the wooded area. On November 23, 1986, Swansea police received information from an informant that linked Bousquet to the murder. On December 9, 1986, Bousquet admitted to the murder after being questioned by police. Following a grand jury indictment, on January 29, 1987, Bousquet was charged with first degree murder.³ In September 1987, a psychiatric evaluation was completed and Bousquet was found to be competent to stand trial and that he met the legal standard for criminal responsibility.

During the trial, Bousquet contended that he acted in self-defense and was intoxicated, in order to demonstrate that he did not act with deliberate premeditation. The jury rejected both arguments. Bousquet was found guilty and sentenced to life in prison without the possibility of parole. Bousquet appealed his convictions. Bousquet, who was 16 years-old

² Bousquet admittedly had been a substance abuser since at least 15 years of age. By the time of the murder, Bousquet was using hashish and mescaline. Bousquet also started to abuse alcohol in his later teens, as evidenced by his alcohol related convictions and fines.

³ Bousquet was also charged with larceny which was later filed.

when he committed the murder, challenged the transfer of the matter from the Juvenile Courts to the Superior Court. He alleged purported errors in the grand jury proceedings, contending that there was an incomplete and misleading presentation of evidence. Bousquet also contended that his confession was not voluntary because he was intoxicated,⁴ that the judge made an error in his instructions to the jury on self-defense and on the issue of his voluntary intoxication, and that he was deprived of the effective assistance of counsel. The Supreme Judicial Court affirmed his conviction. *Commonwealth v. Christopher R. Bousquet*, 407 Mass. 854 (1990).

Bousquet twice sought to have his sentence commuted. On October 28, 2008, the Board (in fulfilling its role as the Advisory Board of Pardons) voted to deny his commutation petition because he did not meet the 2007 Governor's Guidelines. He had been convicted of a crime related to substance abuse, but (at that point) he had not participated in an appropriate treatment program. On January 27, 2012, the Board voted to deny his second commutation petition. The Board determined that Bousquet still presented a considerable risk and that commutation of his sentence would be grossly unfair and would undermine all goals of sentencing.

II. PAROLE HEARING ON DECEMBER 18, 2014

Having been convicted of first degree murder, Bousquet was not eligible for parole. However, on December 24, 2013, the Massachusetts Supreme Judicial Court issued a decision in *Diatchenko v. District Attorney for the Suffolk County & Others*, 466 Mass. 655 (2013), in which the Court determined that the statutory provisions mandating life without the possibility of parole were invalid as applied to those, like Bousquet, who were juveniles when they committed first degree murder. The SJC ordered that affected inmates receive a parole hearing after serving 15 years. Bousquet thus became parole eligible.

Accordingly, on December 18, 2014, Bousquet, age 48, appeared before the Board for an initial parole hearing and had served 28 years of his life sentence. Bousquet was represented by attorney Elizabeth A. Lunt at the hearing. Bousquet described his program work and progress. Bousquet said that he engaged in rehabilitative programming that addressed his drug and alcohol addictions. Between 1994 and 2000, Bousquet participated in AA. In February 2010, following the denial of his first commutation petition, Bousquet completed a drug and alcohol correspondence course and received a diploma with highest honors. Bousquet completed this course while waiting for admission to the Correctional Recovery Academy (CRA). Bousquet completed the CRA program in August 2011. Since completing CRA, Bousquet continued to participate in AA and Smart Recovery. Bousquet also engaged in programming that addressed his anger issues. He completed the Basic Alternatives to Violence Program (AVP) in 2003, the second level course in 2006, and the Training for Trainers. He participated in the facilitators' support group and training and he conducted two AVP programs as a facilitator. Bousquet also completed courses in Menswork, Health Awareness, and Emotional Awareness.

⁴ Bousquet contended that on the date of his questioning by police, he had ingested four or five mescaline pills and smoked seven or eight marijuana cigarettes. Consequently, Bousquet argued that he was unable to think clearly and had no recollection of being advised of his *Miranda* rights. The Court rejected this argument and further concluded that his confession was knowing and voluntary.

Additionally, Bousquet used his time productively, having been employed through most of his incarceration. Bousquet has worked as kitchen staff, cleaning staff, and as a cadre worker with patients (alongside staff) at Bridgewater State Hospital. He has worked in maintenance and plumbing and, since May 2013, has worked at the staff kitchen in food preparation. Bousquet has also engaged in religious and spiritual development during his time in prison. Bousquet accrued 35 disciplinary reports during 28 years of incarceration. Infractions included assaults, fighting, being insolent, refusing work assignments, possessing sharpened instruments, and the manufacturing and possessing an unauthorized substance. Bousquet received his last disciplinary report in 2000 for refusing to be locked into his room.

Bousquet described his upbringing. Bousquet was adopted at nine months, his birth mother having been an alcoholic who abused alcohol while she was pregnant with him. Raised in Swansea, Bousquet grew up in a household with his adoptive parents and a sister and had a positive relationship with a paternal uncle (now deceased) who had been a Catholic priest. Bousquet reports that he was bullied at school and by neighborhood children. By the time he was a teenager, Bousquet was reportedly pulling away emotionally from his parents, who said that he began using drugs at that time. His parents also had to put a lock on his sister's bedroom door, as Bousquet began to threaten his sister by the time he was 15 or 16 years-old. Bousquet was also in treatment for six months with a Fall River psychologist following his charge of breaking and entering.

Bousquet testified that the combined effects of LSD and hashish had affected his memory of the specific events of June 14, 1982. Despite this, Bousquet was able to describe the murder and the basic circumstances surrounding his crime. Bousquet testified that he knew Lachance from their neighborhood and confirmed that, while on the school bus, he and Lachance agreed to meet in a wooded area to get high on the hashish that he would purchase from her. Bousquet added that he and Lachance had gotten high the day before and that he wanted to get high again. After getting high on hashish, Bousquet testified that he remembered "something" pinched him in the neck and that he "could have sworn" he heard Lachance say "something about money or drugs", but he could not remember specifically. While he recalled that Lachance had "something" pointed at him, Bousquet conceded that "maybe it was a hallucination" and that, after years of reflection, he is unsure whether Lachance actually pointed a knife at him or whether it was his own concoction.

Bousquet recalls lunging at Lachance, punching her, and cutting himself. He recalls that he flew into a rage when he saw his own blood and was "out of control." Bousquet (who testified that because of his state of mind, he was not sure whether he was striking a person) did recall stabbing Lachance with the knife. Bousquet stopped stabbing when the knife bent. He recalls kicking Lachance's motionless body, throwing the knife into the woods, and picking up Lachance's compact. Bousquet described himself as being in a state of disbelief and denial, until he heard media reports concerning the discovery of Lachance's remains. He returned to high school, continued to abuse drugs and alcohol, and discussed the murder with others, particularly when media reports about Lachance surfaced. Bousquet testified that while he liked his job in a body shop, he was under the influence of drugs or alcohol while working.

Bousquet described his parole plan. He would like to be paroled after a period in minimum security, where he can participate in additional programming that will help him transition to release in the community.⁵ After release on parole, Bousquet would reside in a halfway house while working with SPAN, Inc. to find housing and employment. He would continue to attend AA regularly and do volunteer work through the Salvation Army. Finally, if the victim's family does not object, Bousquet eventually would like to live with his aging parents in order to assist them.

Several people spoke in support of parole for Bousquet. They emphasized his rehabilitative efforts and that, in their view, his efforts have had a positive and transformative effect. Several people also spoke in opposition. They stressed the brutal nature of the crime and their pain and suffering, which endures to this day. Bristol County Assistant District Attorney Dennis Collins also testified in opposition and emphasized that the factors identified in *Diatchenko* were lacking in this matter. To wit, rather than acting out of immaturity and impulsivity, ADA Collins pointed to the verdict, in which the jury determined that Bousquet instead acted deliberately.

III. DECISION

Christopher Bousquet has served twenty-eight years of a life sentence on a conviction for first degree murder. At 16 years-old, Bousquet regularly abused drugs and, while high on hashish, murdered Lisa Lachance (a high school classmate) and left her broken body in a wooded area. The manner of the killing (described in some detail in this decision) fully supports the jury's finding that Bousquet acted with extreme atrocity and cruelty. Indeed, the Board has already had two opportunities to adjust his life sentence when Bousquet filed two commutation petitions. The Board appropriately rejected those petitions, the latest of which was in 2012. In the Board's view, Bousquet remained a considerable risk and commutation would have been grossly unfair, as it would have undermined all goals of sentencing.

Now, only two years later, Bousquet appears before the Board seeking a parole. The Supreme Judicial Court determined the four goals of sentencing as (a) punishment of the offender, (b) deterrence, (c) incapacitation to protect the public from further harm, and (d) rehabilitation of the offender. See *Commonwealth v. Goodwin*, 414 Mass. 88 (1993). No parole decision should undermine these goals. In light of the extreme cruelty exhibited by Bousquet when he murdered Lisa Lachance, at this point,⁶ a parole would not be compatible with the welfare of society, as it would undermine at least two goals of sentencing, deterrence and punishment.

To be sure, Bousquet has made strides in his rehabilitation. Since the rejection of his first commutation petition, Bousquet has addressed his devastating drug and alcohol abuse. He has successfully completed programming that addressed his violent impulses and has otherwise made good use of his time in prison, as demonstrated by his continued work and educational efforts. It is remarkable that Bousquet has managed to remain free from disciplinary reports

⁵ A Department of Correction (DOC) classification report dated September 17, 2014 reflects that Bousquet is in medium security at MCI Concord, and that the DOC Classification Board, by a 2-1 vote, recommended that he be reclassified to minimum security and be placed at MCI-Plymouth "due to positive adjustment, program compliance, positive work evaluations, positive housing evaluations and remaining disciplinary report free for over 19 years."

⁶ Notably, current law provides that those juveniles serving a life sentence for murder in the first degree with extreme atrocity or cruelty must serve a minimum term of 30 years before becoming parole eligible. G.L. c. 279, § 24. While this provision does not apply to Bousquet, it illustrates the seriousness of his crime.

for the past fourteen years, which is an indication that he has benefited from his efforts. He also appears to have benefited from his hard work, having been recommended to be reclassified to minimum security. If afforded this reclassification, Bousquet will have better opportunities to engage in rehabilitative programming that would further a potential re-entry into society.

When Bousquet described his crime, he allowed (for the first time) the notion that Ms. Lachance threatening him with a knife may have been a concoction, perhaps borne from his being under the influence of narcotics. Bousquet even allowed for the possibility that it was a lie he has told himself over the years to rationalize his behavior. While this is a departure from his previous insistence that he acted in self-defense, more work is needed. Bousquet must demonstrate greater candor concerning his crime and should address what appears to be a lack of empathy for the victim. Indeed, suggesting that this victim bears any responsibility for the extreme atrocity that Bousquet inflicted upon her indicates a lack of empathy and thus, a lack of rehabilitation sufficient to merit parole.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that "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." Applying that appropriately high standard here, it is the unanimous opinion of the Board that Christopher Bousquet does not merit parole at this time because release would not be compatible with the welfare of society. While his rehabilitative efforts to date are commendable, there is more work to be done. The review will be in three years, during which time Mr. Bousquet should commit to a more comprehensive rehabilitation that addresses lack of empathy and candor. He should also continue to address his issues with substance abuse and violence.

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.


Janis DiLoreto Smith, Executive Director

2/12/15
Date