

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

DARREN CASWELL
W99802

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: August 29, 2024

DATE OF DECISION: January 30, 2025

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, Rafael Ortiz

VOTE: Parole is denied with a review in two years from the date of hearing.¹

PROCEDURAL HISTORY: On December 21, 2011, following a jury trial in Plymouth Superior Court, Darren Caswell was convicted of murder in the second degree for the death of Matthew Cote. He was sentenced to life in prison with the possibility of parole. On August 29, 2024, Mr. Caswell appeared before the Board for an initial hearing. He was represented by Attorney George Gormley. Mr. Caswell's brother and three friends spoke in support of parole at the hearing. Three letters from Mr. Cote's family members were read into the record in opposition to parole. Plymouth County Assistant District Attorney Karen Palumbo testified in opposition to parole. The Board's decision fully incorporates, by reference, the entire video recording of Mr. Caswell's August 29, 2024, hearing.

STATEMENT OF THE CASE: On August 17, 2003, fishermen found the badly burned body of Matthew Cote inside his burned pickup truck in the woods of Carver. Mr. Cote died of multiple stab wounds. He was murdered because of a \$300 dollar debt owed to Russell Freitas, a quadriplegic who was a cousin/friend of Darren Caswell. Phone records established that on August 13, 2003 (during the day and evening of the murder), there had been extensive contact between Mr. Caswell and Mr. Freitas. On the night of the murder, Mr. Freitas (driven by another man, K.F.) picked up Mr. Caswell near where Mr. Cote's body had been left. While driving to the scene, Mr. Freitas had a phone conversation with Mr. Caswell, wherein he told Mr.

¹ One Board Member voted to parole to an approved home plan.

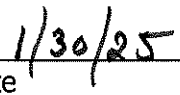
Caswell to "[m]ake sure the duck is cooked well, well, well done." Mr. Caswell was interviewed by state police detectives on several occasions and denied seeing Mr. Freitas on the night of the murder. When asked by detectives whether Mr. Cote's death was due to a fight over drugs or money that got out of hand, Mr. Caswell replied, "That's not how it happened. I didn't know ahead of time that this kid would be killed."

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an incarcerated individual's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the incarcerated individual's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

DECISION OF THE BOARD: Mr. Caswell presented for his initial hearing before the Parole Board. The Board has concerns regarding Mr. Caswell's version of the offense, calling into question his level of accountability. Mr. Caswell appeared to minimize his involvement in the offense, as well as minimize his addiction at the time of the offense and how that related to his participation, leaving the Board to question his motive. Mr. Caswell stated he participated in the offense due to a "lapse in judgment and misguided loyalty." His testimony was confusing and contradictory. The Board also noted that he was a corrections officer for 23 years and, as an employee in a public safety position, should be held to a higher standard. The Board recommends that Mr. Caswell engage in programming or self-development to address victim empathy, as well as acceptance and accountability for his actions. The Board acknowledges Mr. Caswell's positive institutional adjustment, years of sobriety, and his support system. The Board, however, is of the opinion he has more work to do. The Board concludes that Darren Caswell has not demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

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.


Tina M. Hurley, Chair


Date