



The Commonwealth of Massachusetts
Executive Office of Public Safety

PAROLE BOARD

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Chairman

DECISION

IN THE MATTER OF

DAVID BOYCE

W49515

TYPE OF HEARING: Review Hearing

DATE OF HEARING: April 24, 2012

DATE OF DECISION: February 7, 2013

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

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, institutional record, the views of the public as expressed at the hearing or in written submissions to the board, we conclude by a unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in five years.

I. STATEMENT OF THE CASE

David Boyce pleaded guilty on November 30, 1990 in Hampden Superior Court to the second degree murder of Gregory Aldrich, and was sentenced to a term of life imprisonment with the possibility of parole. At the same time he was sentenced to 15 to 20 years for an unrelated armed robbery. That sentence has since expired.

On February 9, 1990, Mr. Boyce and Gregory Aldrich had been together for most of the day. They attended a party at the home of a mutual acquaintance in West Springfield. Mr. Boyce had a vehicle and at some point made a decision to leave with Mr. Aldrich stating they were going to another party. At approximately 9:00 p.m., Mr. Boyce was seen alone walking along railroad tracks. He saw a detective and fled behind a house. Later that evening Mr. Boyce was observed entering a residence on 30 Railroad Street, covered in blood. He stated to the residence that someone was stabbed in his vehicle. He left that residence and was again

seen at 28 Railroad Street, and stated to those residence that "I just killed someone." Mr. Boyce was arrested in the cellar of 28-30 Railroad Street on an unrelated warrant.

On May 23, 1990, at approximately 1:00 p.m., two fishermen found the body of the victim, Gregory Aldrich in the Connecticut River. A subsequent autopsy revealed that he had three stab wounds to his neck, one of which was fatal. At that time, Mr. Boyce was being held in custody on bail for an armed robbery charge. He was then charged with second degree murder.

According to Mr. Boyce, he had been drinking throughout the day with Mr. Aldrich, and eventually met again later that evening. Mr. Boyce stated they continued to drink. At approximately 8:30 p.m., Mr. Boyce stated that he was driving around and an argument ensued. He does not recall what the argument was about, but stated that Mr. Aldrich struck him, and in response to this Mr. Boyce stabbed him in the neck. He reported that Mr. Aldrich continued to hit him as he continued to drive. Mr. Boyce stated he stabbed him again two more times. He stated he did not know that Mr. Aldrich was dead until he came to a stop near the Connecticut River and told him to get out of his car. He then reportedly removed his body from the car and threw it into the Connecticut River. He stated he lost his keys during the time so he started to walk back to his house. He stated he was later picked up by police on a warrant for failing to pay a fine. Mr. Boyce stated while awaiting trial on an armed robbery, the body of Gregory Aldrich was found and he was charged with his murder.

II. INSTITUTIONAL ADJUSTMENT

This was Mr. Boyce's third time appearing before the board. Following his most recent hearing in 2010, Mr. Boyce received a denial with a review in two years. Since that time, Mr. Boyce has been incarcerated in the Segregation Unit while awaiting the resolution of his allegations that he was sexually assaulted. Mr. Boyce has received nine disciplinary reports since his last hearing. The most serious disciplinary reports were for fighting, threatening and possession of a weapon. Mr. Boyce also made a suicide attempt via hanging on December 12, 2011.

Mr. Boyce has incurred 67 disciplinary reports that include numerous weapons reports, numerous threats to staff, numerous alcohol reports, numerous fighting reports and one attempted escape. Mr. Boyce has required five returns to higher custody due to behavioral issues. Mr. Boyce has also required transfer to Bridgewater State Hospital on three occasions due to threats to harm himself or attempts to commit suicide.

Although Mr. Boyce denies any association or prior affiliation with any security threat group, the Department of Correction lists Mr. Boyce as a white supremacist and suspected member of The World Church of the Creator (a white supremacist organization.)

Mr. Boyce has engaged in programming, primarily beginning in 2004. He has completed six programs since his last parole hearing. Mr. Boyce has completed a total of thirteen programs, which is below average program participation.

III. DECISION

Mr. Boyce has a serious criminal history that commenced when he was a juvenile. He has convictions in Florida, Maryland and California. Mr. Boyce's juvenile record includes numerous drug related charges, assaultive charges, indecent assault and battery, and rape. Mr. Boyce's adult record includes assaultive charges and he was awaiting trial for armed robbery

when he murdered Gregory Aldrich. Mr. Boyce attributes a dysfunctional and abusive history as a child and adolescent to his transition into a life of substance abuse and criminal behavior.

Mr. Boyce was articulate about his personal history of neglect and abuse; however, he appeared less insightful and forthcoming regarding his intentions and violent assault on Mr. Aldrich, as well as his violent behavior throughout his incarceration.

Mr. Boyce's history of violence and other behavioral issues within the prison system is highly concerning. In addition, Mr. Boyce continued to incur among the most serious disciplinary reports following his last hearing in 2010. Such behavior demonstrates that he continues to pose a risk to himself and to others within the prison. Mr. Boyce has yet to demonstrate that he has benefitted from incarceration and rehabilitation and his behavior continues to signify that he is unable to avoid antisocial behavior.

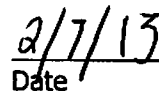
Mr. Boyce has also struggled with mental health issues while incarcerated. He has been committed to Bridgewater State Hospital three times for suicidal ideation and attempts to commit suicide. The most recent attempt occurred on December 12, 2011, when he tried to hang himself. Mr. Boyce has been engaged in mental health counseling; however, based on his continued suicidal behavior, the Parole Board has concerns regarding his level of stability and potential for self-harm. Mr. Boyce did not offer much insight into what resources could be provided to assist him with stabilization both in and out of the institution.

Mr. Boyce has the support of his mother, sister and his fiancée who he met while incarcerated. He is requesting to reside with one of his supporters, find employment and attend substance abuse and mental health counseling. This plan is not a realistic release plan at this time, as Mr. Boyce has not demonstrated that he no longer poses a risk to himself or to others. Mr. Boyce's recent conduct in prison demonstrates that he is not rehabilitated. He would, therefore, be likely to re-offend if released and his release is not compatible with the welfare of society at this time.

Mr. Boyce is encouraged to invest in all available programming and mental health treatment and to demonstrate that he is benefitting from such opportunities to rehabilitate. Mr. Boyce is also encouraged to further explore his long history of violence, criminal behavior and his level of anger that continues to manifest itself in maladaptive behaviors.

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