

*The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security*



**PAROLE BOARD**

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**RECORD OF DECISION**

**IN THE MATTER OF  
DAVID MYLAND  
W82330**

**TYPE OF HEARING:** Initial Hearing  
**DATE OF HEARING:** August 29, 2019  
**DATE OF DECISION:** March 25, 2020

**PARTICIPATING BOARD MEMBERS:** Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, Colette Santa

**STATEMENT OF THE CASE:** On August 27, 2003, in Barnstable Superior Court, Mr. Myland pleaded guilty to the second-degree murder of Spencer MacLeod and was sentenced to life with the possibility of parole. On the same date, he was also convicted of home invasion and armed burglary/assault for which he received 20 to 20 years and a day concurrent sentences. He also pleaded guilty to assault and battery in a dwelling and received a 9 to 10 year concurrent sentence.

Mr. Myland, now 36-years-old, appeared before the Parole Board for an initial hearing on August 29, 2019 and was represented by Attorney Amy Belger. This was Mr. Myland's first appearance before the Board. The entire video recording of Mr. Myland's August 29, 2019 hearing is fully incorporated by reference to the Board's decision.

**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 decision that the inmate is a suitable candidate for parole. Reserve to home after 12 months in lower security. Mr. Myland has served approximately 17 years for the murder of Mr. MacLeod and the beating and stabbing of Mr. Kimball. It is of the opinion of the Board that Mr. Myland has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

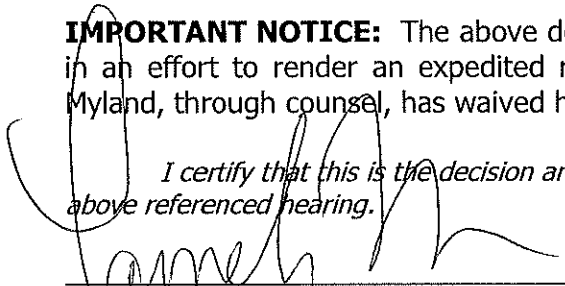
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the 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 into consideration Mr. Myland's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Myland's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Myland's case, the Board is of the unanimous opinion that Mr. Myland is rehabilitated and merits parole at this time.

**Special Conditions:** Reserve to home after 12 months in lower security; Approve home plan before release; Waive work for 2 weeks; Must be at home between 10 p.m. and 6 a.m. at PO discretion; ELMO-electronic monitoring at PO discretion; Supervise for drugs; testing in accordance with agency policy; Supervise for liquor abstinence; testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact with M.C.-Mentor (known to PO); Must have mental health counseling for adjustment/transition; Must attend AA/NA at least 3 times per week.

**IMPORTANT NOTICE:** The above decision is an abbreviated administrative decision issued in an effort to render an expedited resolution in response to the COVID-19 pandemic. Mr. Myland, through counsel, has waived his right to a full administrative decision.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.*

  
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Pamela Murphy, General Counsel

  
\_\_\_\_\_  
Date