

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

DAVID WILLIAMS

W63624

TYPE OF HEARING: Review Hearing

DATE OF HEARING: March 27, 2018

DATE OF DECISION: November 28, 2018

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa, 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 five years from the date of the hearing.

I. STATEMENT OF THE CASE

On February 4, 1983 in Plymouth Superior Court, a jury found David Williams guilty of rape (during the commission of other crimes). He was sentenced to life in prison with the possibility of parole. The victim was a 72-year-old widow. This sentence was to be served from and after a series of concurrent sentences also received on the same date, including: armed assault in a dwelling (20 to 30 years), two counts of armed robbery (20 to 30 years for each count), unlawful carrying of a firearm (3 to 5 years), assault and battery by means of a deadly weapon (3 to 5 years), two counts of burglary armed assault (10 to 20 years each), and assault by means of a deadly weapon (3 to 5 years). Mr. Williams unsuccessfully appealed his rape and

armed robbery convictions.¹ Mr. Williams was released from his concurrent 20 to 30 year sentence and committed to his life sentence on September 3, 1997.

On June 29, 1982, 28-year-old David Williams and an accomplice spent the day, and most of the night, drinking at various bars on the South Shore. In the early morning hours of June, 30, 1982, the two men drove to a Marshfield home and cut the phone lines. Mr. Williams then climbed through the window and proceeded to rob the home. The homeowner, a 72-year-old woman, reported to police that she was asleep in her bedroom. When she heard the men inside her house, she said, "Get the hell out of here." Mr. Williams (upon hearing her), kicked in the locked door, shone a flashlight in her eyes, and told her to "lie down or I'll blow your head off." Mr. Williams took the woman's purse, put a gun to her throat, and said, "Where are your diamonds? Tell me where they are or I'll rape you." When the woman said she didn't have any diamonds, Mr. Williams raped her. Mr. Williams and his accomplice then tied the woman up and loaded his car with stolen items.

The two men then went to another elderly woman's house in Pembroke, where they broke in. They threatened the elderly homeowner and beat her, and then tied her up. After robbing the second home, the men's car got stuck in the mud. As police approached, the two men abandoned the car and fled on foot. The car was traced back to Mr. Williams, and he was arrested later that day.

II. PAROLE HEARING ON MARCH 13, 2018

David Williams, now 64-years-old, appeared before the Parole Board for a review hearing on March 13, 2018. He was not represented by counsel. Mr. Williams was denied parole after both his initial hearing in 2008 and his review hearing in 2013. In his opening statement to the Board, Mr. Williams expressed remorse for his crimes and admitted to raping the victim. He apologized for denying it in the past. When Board Members questioned him about the rape, Mr. Williams explained that he used his mistrust, aggression, and anger of his mother and ex-wife against the victim. Mr. Williams told the Board how he was physically and emotionally abused by his father as a child. When he ran to his mother for help, he did not get the help he needed. Mr. Williams said that he grew to not trust women. He got married in his twenties, but left his wife after a year and half of marriage because he suspected her of being unfaithful. Mr. Williams said the failure of his marriage reinforced his mistrust and anger towards women. On the night of the home invasion, Mr. Williams stated that he had been drinking all day. When he asked the victim where her money and jewelry were hidden, he felt that she lied, which had angered him. Mr. Williams said, "I took my aggression out on her. I figured I would treat her just like I treated my wife."

When the Board noted Mr. Williams' account that he was too drunk to drive had been contradicted by two witnesses, as well as his co-defendant (who testified that Mr. Williams was driving), Mr. Williams said that he now admits to driving, and that he may have misremembered the events of the night. Board Members asked Mr. Williams to explain why he denied raping his victim for 30 years, why he resisted going to the Massachusetts Treatment Center or participating in the Sex Offenders Treatment Program (SOTP) for 25 years, and why he didn't complete the Sex Offenders Treatment Program once he started it. Mr. Williams explained that he was living by "the con-code" in denying his guilt. Since he had to finish his 20-30 year sentence, and then

¹ *Commonwealth v. David A. Williams*, 18 Mass. App. Ct. 945 (1984); *Commonwealth v. David A. Williams*, 23 Mass. App. Ct. 716 (1987).

wait another 15 years before he would be parole eligible, he did not admit culpability or seek programming. Mr. Williams said he was terminated from the Sex Offenders Treatment Program because he was upset that they changed the program he was involved in at MCI-Norfolk and would not give him credit for his past participation.

The Board noted that Mr. Williams has had five disciplinary reports since his incarceration. When questioned about his programming efforts, Mr. Williams said he has completed all the recommended programs. He also said that he completed the old Correctional Recovery Academy program and was hoping to go to the new Correctional Recovery Academy program, after finishing the Massachusetts Treatment Center program. Mr. Williams said that he has a Bachelor's Degree from Boston University and a welding certificate. He works as a silk-screener at the Massachusetts Treatment Center. Mr. Williams requested a step down to a long term residential program before release to a home plan. With his welder's license and experience in plumbing and electrical work, he thinks he can get a job as an iron worker. In addition, Mr. Williams said that he has the support of his family.

Mr. Williams' brother testified in support of parole. Plymouth County Assistant District Attorney Stacey Gauthier testified in opposition to parole and submitted a letter of opposition.

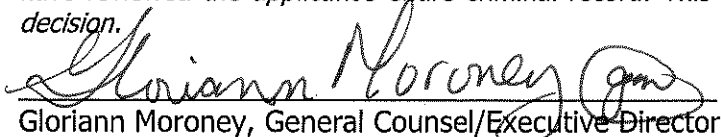
III. DECISION

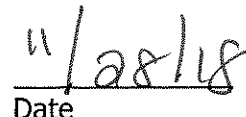
The Board is of the opinion that David Williams has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Williams broke into an elderly woman's house, terrorized her repeatedly with a firearm, threatened to kill her, rob her, and rape her. He continues to present a pattern of deception and manipulation.

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. Williams' 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. Williams' risk of recidivism. After applying this standard to the circumstances of Mr. Williams' case, the Board is of the unanimous opinion that David Williams does not merit parole at this time.

Mr. Williams' next appearance before the Parole Board will take place in five years from the date of this hearing. During the interim, the Board encourages Mr. Williams 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


Date