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**PAROLE BOARD**

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Josh Wall  
Chairman

**DECISION**

**IN THE MATTER OF**

**DAVID WILLIAMS**

**W63624**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** March 26, 2013

**DATE OF DECISION:** March 5, 2014

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

**DECISION OF THE BOARD:** After careful consideration of all relevant facts, including the nature of the underlying 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 writing, we conclude by unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in five years from the date of the hearing.

**I. STATEMENT OF THE CASE**

David Williams appeared before the Massachusetts Parole Board on March 26, 2013 for a review hearing. On February 4, 1983 in Plymouth Superior Court, Williams was convicted of a series of crimes he committed during early morning break-ins on June 30, 1982. In all, Williams was convicted of ten indictments which included Armed Assault in a Dwelling, Armed Robbery, Unlawful Carrying of a Firearm, Assault with a Dangerous Weapon, and Burglary. Williams received concurrent sentences for these convictions, the longest of which were 20 to 30 year sentences for the Armed Assault in a Dwelling and Armed Robbery.

Williams was also convicted of Rape which he committed during the commission of these offenses. The victim of the rape was a 72-year-old widow.<sup>1</sup> Accordingly, Williams was

<sup>1</sup> The names of all sexual assault victims are withheld. See G.L. c. 265, § 24C.

sentenced to life imprisonment which was ordered to be served from and after the concurrent sentences. On September 3, 1997, Mr. Williams was released from his concurrent sentences and was committed to the life sentence for Rape, thus making him eligible for parole on April 20, 2008. On March 4, 2008, the Parole Board conducted an initial review hearing and denied Williams parole with a five year review.

In the early morning hours of June 30, 1982, Williams and his accomplice, Steven Chetwynde, broke into two homes, one in Marshfield and the other in Pembroke. During the break-in at the Marshfield home, Victim #1 reported to police that she was asleep in her bedroom when she heard someone outside her bedroom door. She walked towards her door which was bolted and yelled, "Get the hell out of here!" Immediately after this, Williams kicked open the bedroom door, shined a flashlight in her eyes, placed a gun to her throat and demanded, "Lie down and close your eyes or I'll blow your head off."

Williams made Victim #1 lie on her bed with her eyes closed and held his hand on her face holding it to the side so she could not look at him. Williams asked her repeatedly, "Where's your money?" Victim #1 told Williams that her purse was in the bedroom closet and to take whatever money she had. Williams then took her purse, saw that it had only \$7.00, and began demanding other valuables from Victim #1. Williams pushed a gun firmly against this victim's throat and stated, "Where are your diamonds? Tell me where they are or I'll rape you." Victim #1 told Williams that she had none, and Williams proceeded to rape her.

After completing the rape, Williams called for Chetwynde, who stated to Victim #1, "We're going to tie you up for your own protection. Keep your eyes closed and you won't get hurt." Chetwynde tied this victim's hands and feet together with pillow cases. Before leaving, one of the defendants told Victim #1, "Lie there and be quiet or I'll blow your head off." Victim #1 then heard the perpetrators leave her premises.

Williams and Chetwynde then went to the Pembroke dwelling of Victim #2, who was also 72 years old. Chetwynde knew the victim as he had previously rented a house from her. Williams and Chetwynde broke into the home and searched it. While searching, the defendants walked into the bedroom of Victim #2, who was sleeping. They shone a light in her face and she woke up. They held down Victim #2, tied her up, and ransacked her home. Victim #2 was choked, beaten and knocked unconscious by her assailants.

## **II. CRIMINAL AND INSTITUTIONAL HISTORY**

David Williams' criminal history is extensive, having been arraigned on 63 charges. He has served four prior House of Correction sentences for charges that included Receiving Stolen Property, Assault and Battery with a Dangerous Weapon, Larceny of a Motor Vehicle, Unarmed Robbery, and Breaking and Entering with Intent to commit a felony. On October 24, 1979, Mr. Williams escaped while on furlough from the Worcester House of Correction, was apprehended one month later, and on December 5, 1979 was sentenced in Worcester Superior Court for six months for Escape.

Williams was 29 years old at the time of the offenses. As of the review hearing, Williams was 59 years old and serving his fifth incarceration. Throughout his incarceration, Williams has received two disciplinary reports. While serving his concurrent sentences, Mr. Williams had a return to higher custody for possession of a weapon.

Williams is currently incarcerated at MCI Norfolk where he is employed in industries. He has been involved in institutional programming, including Correctional Recovery Academy, substance abuse programming, AA/NA, Alternatives to Violence (all components), Jericho Circle and Emotional Awareness. He received a Bachelor's Degree in Liberal Studies from Boston University in May 1996, completed Advanced Welding in February 1998 which resulted in a state welding license.

Williams initially enrolled in the Sex Offender Treatment Program in June 2005, but was terminated in July 2005 for poor attendance. He re-entered the program in 2008 and completed the requirements to transfer to the Treatment Center for Core Treatment in September 2011. Williams told treatment providers, however, that he "never intended to attend Core Treatment," and refused transfer to the Treatment Center. At MCI-Norfolk, he did not attend treatment classes in 2012 and also stopped attending group sessions. Therefore, he was terminated from the program in November 2012. Before terminating Williams, treatment providers tried unsuccessfully for months to encourage him to attend the classes.

### **III. PAROLE HEARING ON MARCH 26, 2013**

At his initial parole hearing on March 4, 2008, David Williams admitted to the robbery charges but denied he was involved in the rape of Victim #1. At this hearing, David Williams accepted responsibility for his crimes and admitted to raping Victim #1. He expressed that at the 2008 hearing he was in complete denial and denied any culpability. He failed to admit to his crimes and claims the Chairperson's comments "changed his life" and only then did he begin to participate in the Sex Offender Treatment Program. He did everything possible to "hide" and was "in fear and didn't want to admit to the rape." He blamed his attorney and case worker for his lack of treatment. Upon returning to prison, after his 2008 parole hearing, Mr. Williams filed multiple complaints against his attorney. He states he completed pre-treatment and asked to be transferred to the treatment center. "I finished pre-treatment, I completed my offending piece and completed all that and finished in September 2011." He states that prior to 2008 he was in sex offender treatment, however, his attorney advised him to stop.

When asked why he lied to the Board in 2008 he stated "I didn't lie. I was in extreme and utter denial, I didn't want to see myself that way, I didn't believe I did it, I used the crutch of the attorney to hide." Williams stated "I have changed and I deserved the five year setback. I wouldn't be the man I am today." He acknowledged that for 25 years he had no sex offender treatment and any treatment previously done is negated as he had not admitted his offenses. Williams is adamant that he was in sex offender treatment for four years and completed it in 2011, also saying he stayed in it an extra year to help others admit their guilt before they could move on to the core treatment. He insisted it was recommended that he not go to the treatment center at Bridgewater. "My caseworker informed me at my reclassification hearing the vote was for me to remain at MCI Norfolk"; however the classification reports submitted to the Parole Board indicate that Williams refused a transfer to the treatment center. Board Members pointed out there were recommendations for Williams to go to the treatment center in

October 2011 and October 2012. When Board Members inquired about this issue, Williams stated his caseworker told him there was no need for him to attend core treatment. Board Members did not accept this testimony as truthful. He then went on to state that he informed his caseworker that he was supposed to see the Parole Board in September and his thinking was if he was to transfer to the treatment center he would be in trouble because he would be at a different facility. Williams also stated that the Parole Board told him he only had to attend pre-treatment. He had his sister contact Parole Board staff to find out if pre-treatment would satisfy completing sex offender treatment.

Board Members expressed their concerns that, after thirty years, Mr. Williams is now admitting to raping the victim and he has not completed sex offender treatment and, according to his classification report, he refused that treatment twice. He is not enrolled in the next phase of sex offender treatment. However, he did assert that he will sign up for sex offender treatment and will go to the treatment center based on the concerns of Board Members expressed during the hearing.

Williams said he appealed his case because he felt the life sentence was unfair. "I still had issues taking responsibility and didn't want to look at myself that way." He admits both he and the co-defendant had been drinking all day and gave statements to the police; however Williams stated he lied, "I was trying to protect my ass." He has tried to do everything right in the last five years and "If I don't get parole I've completed what I wanted to complete here I want to take full responsibility for what I did to the victim, not taking full responsibility for what I did to the victim is unconscionable to me. So, no matter what happens to me today I want her voice to be known that she told the truth."

Board Members expressed concern that his behavior is manipulative. They addressed the appearance that he only takes the steps he is forced to take and that he completes only the minimum amount of work. It was stated to him that the only way to successfully complete sex offender treatment program is to transfer to the treatment center for the intensive programming of core treatment, and to then go before a completion board for evaluation.

When Williams was asked about his criminal history, the Board pointed out that from age 19 until the governing offense he was arrested every year. Williams explained, "I was an angry, upset individual. I was just living day by day, month by month, looking for a path but never reached out to my family or anyone for help, I didn't care about victims' feelings and my needs were more important than anything else in the world." He admitted that he committed several crimes for which he was not caught. Those crimes included robberies, various larcenies of department stores, and tractor trailer thefts.

Williams was asked to describe the crimes for which he is serving his sentence. He described that he and his co-defendant went into the victim's home and robbed her. He then raped the 72-year-old victim. While he was having forced intercourse with the victim he asked her had she "ever had sex before and if she liked it." He stated she didn't respond to his questions except to say her husband was dead.

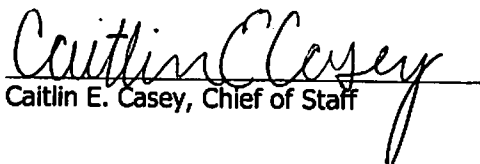
Williams had several supporters present and his sister and one other person testified in support. Plymouth County Assistant District Attorney Matthew Libby appeared in opposition of parole.

#### **IV. DECISION**

David Williams broke into an elderly woman's home, terrorized her repeatedly with a firearm, threatened to kill her, robbed her, and raped her. He is a very dangerous person with a long and complicated path to rehabilitation. He complicated that path by spending the first 25 years of his incarceration avoiding sex offender treatment and denying that he raped the victim. He lied at his first parole hearing when he callously and boldly denied the rape. Williams has now completed sex offender pre-treatment and he finally admitted the rape after 31 years of falsehoods. He made several statements at this parole hearing about his treatment which were contradicted by the Department of Correction's records. The Classification Report and a specific treatment memo document his refusal to enter Core Treatment. The Parole Board concluded, therefore, that Williams is still engaged in a pattern of dishonesty and manipulation. As a dangerous and violent sex offender, Williams has years of productive work needed for rehabilitation. He has some recent sex offender treatment, which is a positive development, but he needs considerably more work towards reformed thinking and behavior.

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 Mr. Williams does not merit parole because he is not rehabilitated. The period of review will be five years, during which time Mr. Williams should enter Core Sex Offender Treatment and address issues of sexual violence, lack of empathy, substance abuse, antisocial behavior, criminal thinking, dishonesty, and manipulation.

*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.*

  
Caitlin E. Casey, Chief of Staff

3/5/14  
Date