

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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Chairman

DECISION

IN THE MATTER OF

**DAWUD ABDUL-BASIR
(F/K/A DAVID MONROE)
W33579**

TYPE OF HEARING: Review Hearing
DATE OF HEARING: August 1, 2017
DATE OF DECISION: June 18, 2018

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, 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.¹

I.STATEMENT OF THE CASE

On April 14, 1972, in Suffolk Superior Court, Dawud Abdul-Basir (formally known as David Monroe) was convicted of armed robbery and received a life sentence with the possibility of parole. He was also convicted of armed assault with intent to murder, kidnapping, assault and battery with a dangerous weapon, unlawfully carrying on his person a firearm, and larceny of a motor vehicle. Sentences for the additional crimes, which ran concurrently with the life sentence, have been served.

¹ Five Board Members voted to deny parole with a 5 year review. One Board Member voted to deny parole with a 4 year review.

On September 14, 1971, Dawud Abdul-Basir and Ernest Williams planned to commit an armed bank robbery, which required stealing a car. At 8:30 a.m., they assaulted a 22-year-old student in Boston's Back Bay in order to take his car. They put a gun to his head and forced him into the trunk of the car. They drove the car to Roxbury, where they forced the victim to enter an abandoned triple-decker building. They bound his hands behind his back and then tied a rope around his neck to his hands and ankles. Mr. Williams shot him four times, and they left him to die. The victim yelled loudly enough for a neighbor to hear and survived the attempted murder. An immediate police investigation found Mr. Abdul-Basir and Mr. Williams in the victim's car.

II. PAROLE HEARING ON August 1, 2017

Mr. Abdul-Basir, now 68-years-old, appeared before the Parole Board for a review hearing on August 1, 2017. He was not represented by counsel. Mr. Abdul-Basir was denied parole after his initial hearing in 1986. After his 1987 review hearing, however, Mr. Abdul-Basir was released on parole. In 1997, he was arrested for allegedly sexually assaulting his daughter and parole was revoked. Mr. Abdul-Basir was subsequently denied parole after his review hearings in 1998, 1999, and 2001. After his April 13, 2004 review hearing, Mr. Abdul-Basir was again released on parole. On January 12, 2007, however, parole was again revoked. Mr. Abdul-Basir was denied parole after review hearings in 2007 and 2012.

Mr. Abdul-Basir told the Board that he has 7 daughters and 4 sons and was previously married to the mother of the children. He stated that (his) infidelity was an issue in the marriage. He was charged with assault and battery on his wife in 1996, which arose from an incident after he told her of his infidelity. Board Members questioned Mr. Abdul-Basir about the arrest and allegations regarding the sexual assault of his minor daughter in 1997. He adamantly denied these allegations. He said that his daughter "filed charges" because he (Mr. Abdul-Basir) was against his daughter being with her boyfriend. At the time, his daughter gave detailed accounts of the sexual encounters, which included oral sex. This case was ultimately dismissed. Mr. Abdul-Basir admitted that he had unsupervised contact with his minor daughter (while on parole), after he was told not to have such contact.

Mr. Abdul-Basir stated he was a "strong willed person" and a "hot head," but that he went to programs to address these issues. A Board Member asked Mr. Abdul-Basir if he addressed issues, since his last parole hearing, relating to violence, controlling behavior, sexual perversion used to demean another person, substance abuse, and dishonesty. Mr. Abdul-Basir said that he completed Jericho Circle, which taught him to check in with his feelings. In regards to controlling behavior, he stated that he completed the Able Minds program. Mr. Abdul-Basir also discussed using self-reflection in understanding how sexual perversion can be used to demean another person. He stated that one example of his sexual perversion was an "over sensation for oral sex." A Board Member asked why oral sex was a theme regarding the sexual abuse allegations involving his daughter. He denied the allegations and said that his daughter was using information given to her by her mother. In addition, Mr. Abdul-Basir said that he attended AA/NA twice a month and spoke about the Islamic religion that he practices.

The facts of the underlying case were also discussed during the hearing. A Board Member asked Mr. Abdul-Basir about his motives in that case. He responded by saying that he and his co-defendant were supposed to steal a car to use in a bank robbery. The victim was taken by

gun point to a burnt-out building, "hog-tied," and shot four times. A Board Member asked why the victim was shot after being "hog-tied." Mr. Abdul-Basir explained that he was shot so there wouldn't be any witnesses. The Board also questioned Mr. Abdul-Basir about his previous parole supervision and how often he was using drugs while on parole. He responded that "it was a lot," using cocaine and "probably marijuana." He also admitted that he and his wife were using drugs, after he brought it into the relationship and started her on the drugs.

A letter of opposition was submitted by Suffolk County Assistant District Attorney Gerald Ogus.


III. DECISION

The Board is of the opinion that Mr. Abdul-Basir has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Abdul-Basir has a history of violence against women. He has an extremely troublesome criminal history, coupled with a poor deportment while on parole supervision. Release does not meet the legal standard, as it appears he is not rehabilitated.

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. Abdul-Basir'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. Abdul-Basir's risk of recidivism. After applying this standard to the circumstances of Mr. Abdul-Basir's case, the Board is of the unanimous opinion that Dawud Abdul-Basir is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Abdul-Basir's next appearance before the Board will take place in five years from the date of this hearing. During the interim, the Board encourages Mr. Abdul-Basir to continue working 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


Date