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Josh Wall
Chairman

DECISION

IN THE MATTER OF

DONALD HOUSTON

W56800

TYPE OF HEARING: **Revocation Review Hearing**

DATE OF HEARING: **September 17, 2013**

DATE OF DECISION: **October 8, 2013**

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Shelia 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 a suitable candidate for parole.

I. STATEMENT OF THE CASE

On October 8, 1993, Donald Houston and a juvenile co-defendant approached the victim as he left an ATM in Boston and robbed him. They took the victim's money, a ring, his new Jeep, and fled the scene. Police apprehended Houston a short time later, and the victim identified him as the perpetrator of the robbery.

On July 6, 1994, after a jury trial in Suffolk Superior Court, Houston was convicted of armed robbery. Following that conviction, he pleaded guilty to being an habitual criminal and was sentenced to serve life in prison. He was also sentenced to serve concurrent terms of ten to 15 years for armed assault with intent to kill, 8 to ten years for assault and battery by means of a dangerous weapon, 8 to ten years for distribution of a class B substance, and 4 to 5 years for unlawful possession of a firearm. A subsequent motion for a new trial, and appeal therefrom, were unsuccessful. *Commonwealth v. Houston*, 42 Mass. App. Ct. 1106 (1997).

Houston's criminal history prior to the 1994 armed robbery includes convictions for larceny, possession with intent to distribute a class A substance, threats, assault and battery, and a 1982 armed robbery.

Houston was originally paroled on March 20, 2009, but was returned to custody on June 16, 2009, because he had tested positive for opiates twice and had been discharged from the Bridge House Program. He was re-paroled on December 17, 2009, and was returned to custody on May 12, 2010, because he had tested positive for cocaine and admitted to using the drug suboxone without a prescription.

II. PAROLE HEARING ON SEPTEMBER 17, 2013

Donald Houston, age 49, is serving a life sentence for armed robbery. His parole was revoked in 2010 due to drug relapse. The Parole Board conducted a review hearing in 2011 and denied re-parole with an expedited review in two years. At this parole hearing, the Board questioned Houston on issues related to his recovery, his three years of re-incarceration, and his plan for maintaining sobriety and productivity if re-paroled.

Houston said that his relapse and revocation were humbling experiences that led him to renew his commitments to sobriety, Narcotics Anonymous, religion, and avoiding pain medication. He has numerous serious health issues that cause pain, and he developed a "serious dependency that was full blown addiction" on Percoset and other pain medications. He reported that "I have been off the pain medications for three years and that has changed my life; now I exercise and pray; I have to accept that I will have pain that I have to manage" without resorting to opiate-based medications.

Narcotics Anonymous has been an important part of Houston's recovery. He attended meetings when he was returned to MCI – Cedar Junction in 2010. He said that NA was not available when he arrived at Old Colony Correctional Institution. He received the administration's approval to start a weekly NA meeting which he did successfully. When demand arose for another meeting, he received approval to start AA 12 Step and successfully started that program. He chairs both weekly meetings at Old Colony, and coordinates outside speakers and sponsors to assist the inmates.

Houston also started a boxing program at Old Colony. He has experience and training in the sport and he shares that talent with other inmates in a productive environment. Every morning he meets with a group of six inmates who train and spar. Houston stated that he does a lot of mentoring in the group because it includes younger inmates who "are trying to do the right thing and stay out of trouble." Several of the inmates in the boxing group sent letters supporting parole and describing the positive atmosphere and productive environment that Houston has created in the program. The letters described the effective leadership and mentoring that Houston provides.

Houston also started a razor program for inmates at Old Colony. The administration has trusted him to collect, clean, and distribute electric razors every morning. He said that he begins every day with prayer, tending to some chronic medical and physical issues, distributing razors to inmates, and running the boxing class which starts at 9:00. He also participated in the Inside Outside program affiliated with Bridgewater State University. He described it as "a powerful program about young men who have trouble coping with emotions; I wrote a lot about myself in that program." He has had eight disciplinary infractions throughout his incarceration. The most serious occurred in the 1990s, including a fight in 1995 and introducing heroin in the prison in 1998, which led to a three-year sentence in the Disciplinary Detention Unit.

Mental health treatment has been a part of Houston's rehabilitation. He participates in group therapy weekly and sees a clinician one-on-one occasionally. He has used therapy "to open up and deal with some things from childhood; using drugs is hiding things like an unhappy

child hides in the closet; opening things up and talking about struggles is an important step." He said that "my mother meant the world to me, she taught me the right way to do things; I just got lost when I started hanging with the guys" as a teenager, "and this is where we all ended up." Houston said, "the worst prison I've been in is the one I built for myself; the one in my head that kept me from succeeding."

Houston's girlfriend, sister, and Kevin Thomas, a mentor, spoke in support of parole. In his closing statement, Houston said, "I didn't see that punch coming in 2010 with my addiction, but it's what I needed to be humbled; now I know how to use my support and overcome the criminal survivor mentality."

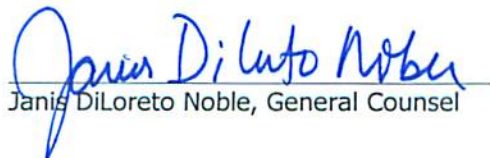
III. DECISION

Since his last parole hearing in 2011, Donald Houston has a remarkable set of accomplishments in prison. He has started two AA/NA meetings, both of which he chairs. He started a boxing program, which he leads daily. Through the boxing program, he combines productive physical activity with discussion and mentoring to help the rehabilitation of younger inmates. Moreover, Houston has worked successfully to gain insight on his addiction and develop strategies to avoid relapse. He recognizes and accepts the challenge of managing pain without narcotic medications. Due to his active rehabilitation, he appears at no risk for committing another violent offense. The risk of relapse, while always present, has been reduced due to his rehabilitative work and productive activity. His active involvement with NA and his network of supporters will give him strong support in his ongoing efforts to stay sober.

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." Due to his successful rehabilitation, as demonstrated by his recent accomplishments in prison, Donald Houston meets the appropriately high standard required for parole. The Parole Board grants re-parole in accordance with the special conditions described below.

SPECIAL CONDITIONS: Re-parole to an approved home plan on or after November 1, 2013; no alcohol use; no drug use; NA two times per week; one-on-one counseling monthly for issues related to adjustment and substance abuse.

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.


Janis DiLoreto Noble, General Counsel

10/8/13
Date