



The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road  
Natick, Massachusetts 01760

Charles D. Baker  
Governor

Karyn Polito  
Lieutenant Governor

Thomas A. Turco III  
Secretary

Telephone # (508) 650-4500  
Facsimile # (508) 650-4599

Gloriann Moroney  
Chair

Kevin Keefe  
Executive Director

**DECISION**

**IN THE MATTER OF  
DOUGLAS DUKETTE  
W68697**

**TYPE OF HEARING:** Review Hearing  
**DATE OF HEARING:** January 29, 2019  
**DATE OF DECISION:** January 28, 2020

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, Colette Santa, Paul Treseler<sup>1</sup>

**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 the 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 in four years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On October 25, 1999, after a jury trial in Middlesex Superior Court, Douglas Dukette was convicted of the second-degree murder of Richard Comeau. He was sentenced to life in prison with the possibility of parole. That same day, he was also sentenced to serve 4 to 5 years concurrent with his life sentence for unlawful possession of a firearm, as well as 5 years of probation to be served from and after his life sentence for larceny of a motor vehicle. Finally, a conviction for knowing receipt of stolen property was placed on file. Mr. Dukette unsuccessfully appealed his conviction.<sup>2</sup>

<sup>1</sup> Board Member Treseler was present at the hearing, but was not a Board Member at the time of vote.

<sup>2</sup> *Commonwealth v. Dukette*, 56 Mass. App. Ct. 1117 (2002)

On February 18, 1999, 37-year-old Douglas Dukette shot and killed his roommate, Richard Comeau. On the day of the murder, Mr. Dukette returned from a job interview and started drinking heavily. At some point in the evening, Mr. Dukette's roommate, Richard Comeau, returned home and Mr. Dukette fatally shot him. After shooting his roommate, Mr. Dukette stole Mr. Comeau's car, wallet, and gun and drove to a bar in Boston. At the bar, Mr. Dukette stated to a bar patron that he had just killed his friend. He also said that the gun "was still smoking" inside his car. Mr. Dukette displayed the victim's wallet, which contained the victim's credit cards and a driver's license. The patron reported the confession to two police officers, who were parked nearby. The Boston Police notified Stoneham police who discovered the victim's body at his home. Boston police placed Mr. Dukette under arrest.

## **II. PAROLE HEARING ON JANUARY 29, 2019**

On January 29, 2019, Douglas Dukette, now 57-years-old, appeared before the Parole Board for a review hearing. Mr. Dukette was represented by Northeastern University School of Law Student Emily Gadbois. Mr. Dukette was denied parole after his initial hearing in 2014. In his opening statement to the Board, Mr. Dukette apologized to the victim's family. He described Richard Comeau as "a good friend," who had tried to help him in his struggle with alcoholism. The Board questioned Mr. Dukette as to his extensive criminal history, including several use without authority convictions, 12 arrests, and 9 convictions for operating under the influence of alcohol. Mr. Dukette told the Board that he began drinking at age 12 and struggled with alcoholism throughout his life. He stole cars for "joy-riding" and once stole a car in order to visit a girlfriend. Mr. Dukette claimed to recognize that drunk driving presents a danger to society.

A Board Member noted that Mr. Dukette was denied parole at his last hearing because they did not think he was being honest about the governing offense. They discussed how Mr. Dukette initially said the shooting was an accident, then said that the gun "went off" while he was handling it in the living-room closet, but that stippling on the victim indicated that Mr. Dukette would have been much closer to the victim than he claimed. Mr. Dukette said that his prior testimony was inaccurate and that he approached Mr. Comeau with the gun and was standing about 2 feet from him when the gun "went off". A Board Member noted that the victim went above and beyond in trying to help Mr. Dukette and Mr. Dukette fatally shot him, took his car, wallet and gun, and left him without calling for help. Mr. Dukette said that he panicked after the shooting and he "just wanted to run away." Mr. Dukette now feels that deliberately and drunkenly handling Mr. Comeau's loaded gun was not an accident and in doing so he created a clear likelihood that someone could be killed.

When questioned by the Board as to his participation in available work, treatment, and educational programs, Mr. Dukette reported that he has been working at the sewing shop since 2014. He has completed Correctional Recovery Academy, Violence Reduction, Alternatives to Violence, Criminal Thinking and other programs. He attends Alcoholics Anonymous weekly and has participated in the Twelve Step program. Mr. Dukette also stated that he has been sober since 2000.

Mr. Dukette's brother and son testified in support of parole. Mr. Comeau's brother, sister, and niece testified in opposition to parole. Middlesex County Assistant District Attorney Jamie Charles testified in opposition to parole. The Middlesex County District Attorney's Office

submitted a letter of opposition. Stoneham Chief of Police James McIntyre also submitted a letter of opposition. The Board also considered other letters of opposition.

### **III. DECISION**

Mr. Dukette continues to minimize his criminal culpability in the death of Richard Comeau. In addition, he has an extensive criminal history. It is of the opinion of the Board that he has yet to demonstrate a level of rehabilitation that would be 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. Dukette'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. Dukette's risk of recidivism. After applying this standard to the circumstances of Mr. Dukette's case, the Board is of the opinion that Douglas Dukette is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Dukette's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages Mr. Dukette 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.*

  
Pamela Murphy, General Counsel

1/28/2020  
Date