



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

EDGAR BOWSER

W36627

TYPE OF HEARING: Review Hearing

DATE OF HEARING: April 25, 2017

DATE OF DECISION: April 26, 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 four years from the date of the hearing.

I. STATEMENT OF THE CASE

On May 15, 1978, in Worcester Superior Court, Edgar Bowser pleaded guilty to second degree murder and was sentenced to life in prison with the possibility of parole. On that same date, he pleaded guilty to armed robbery and received a 3 to 5 year from and after sentence.¹

Edgar Bowser shot and killed Shrewsbury Police Officer James Lonchiadis on March 5, 1975. Officer Lonchiadis was murdered in the line of duty, as he investigated suspicious activity in a Route 9 parking lot in Shrewsbury, at approximately 11:30 p.m. At that time, Mr. Bowser, along with his sister and brother-in-law (his co-defendants), were executing their plan to steal a Corvette from a gas station parking lot, after locking the attendant in the trunk of another car.

¹ Mr. Bowser's sentences have been aggregated, and he cannot be paroled to the from and after sentence. He must be considered for release to the community.

Mr. Bowser, age 16, was armed with a loaded .32 caliber handgun. Officer Lonchiadis told Mr. Bowser, "Don't shoot; I have a wife and two kids. I want to go home tonight." Nonetheless, Mr. Bowser shot Officer Lonchiadis once in the chest; the bullet traveling through the officer's heart. Mr. Bowser says he fired the shot when he saw Officer Lonchiadis reach for his own holster. Mr. Bowser then took the officer's gun, using it moments later in an armed robbery to obtain a car for escape. The murder was unsolved for 20 months, when Mr. Bowser was arrested in October 1976.

II. PAROLE HEARING ON APRIL 25, 2017

Mr. Bowser was denied parole after his initial hearing in 1991, as well as at his review hearings in 1994, 1999, and 2003. Mr. Bowser was paroled in 2007. However, he was returned to custody on October 27, 2010, when he tested positive for cocaine. Mr. Bowser admitted to his parole officer that he had used cocaine on October 21.

Mr. Bowser, now 58-years-old, appeared before the Parole Board for a review hearing on April 25, 2017, and was represented by Attorney Rebecca Rose. This was Mr. Bowser's second appearance before the Board since his return to custody in 2010. In his opening statement to the Board, Mr. Bowser expressed his remorse for taking the life of Police Officer Lonchiadis and apologized to his family, friends, and the law enforcement community. Additionally, Mr. Bowser spoke of his embarrassment and shame for squandering his prior parole opportunity. If granted parole, Mr. Bowser said that he would follow the rules and make better use of his support system. During the hearing, Mr. Bowser recanted how he was easily influenced by his older co-defendant/brother-in-law. He became enamored with the lifestyle, criminal behavior, and drug use. When asked why he pulled the trigger when Police Officer Lonchiadis was pleading for his life, he shook his head and stated, "I panicked."

When discussing his parole failure, Mr. Bowser failed to comprehend how he continuously deceived the Parole Board. During his entire period of parole supervision, Mr. Bowser had a secret life that the Parole Board was unaware of. Mr. Bowser's statements continue to be far-fetched and self-serving, as he failed to disclose an on-going relationship with a woman he met at the program, who had a criminal record. Mr. Bowser blamed the nature of his criminal thinking, and the fact that he was either incapable, or ill equipped, to communicate effectively. Regarding his relapse and use of cocaine, Mr. Bowser has provided the Board with various versions as to why he succumbed to his addiction. At varying points in time, he attributed his relapse to being distraught over the death of a young resident at the program he was employed by and/or family matters.

Since his last hearing, Mr. Bowser has participated in numerous programs, including Violence Reduction, Correctional Recovery Academy, and Criminal Addictive Thinking. He regularly participates in the Buddhist Group and is employed as a janitor.

Mr. Bowser had supporters at his hearing and, in addition, letters of support were submitted on his behalf. The Board considered oral testimony from Dr. DiCataldo, Mr. Bowser's fiancée, and his fiancée's father, all of whom expressed strong support for parole. Several of Officer Lonchiadis' family members, as well as friends, attended the hearing in opposition to parole. Chief Hester, as well as Officer Lonchiadis' son and niece, spoke in opposition to parole. Worcester County District Attorney Joseph Early appeared in opposition to parole. Assistant District Attorney Michelle King spoke in opposition to parole.

III. DECISION

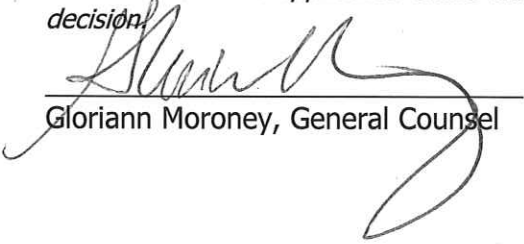
The Board is of the opinion that Mr. Bowser has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board remains concerned as to Mr. Bowser's lack of empathy and his deceptive/manipulative behavior while on parole supervision. Mr. Bowser would benefit from a longer period of positive adjustment, coupled with additional programming, to address his causative factors.

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 the context of an offender convicted of first or second degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015); See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015).

The factors considered by the Board include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.* The Board has also considered whether risk reduction programs could effectively minimize Mr. Bowser's risk of recidivism. After applying this standard to the circumstances of Mr. Bowser's case, the Board is of the opinion that Edgar Bowser is not yet rehabilitated, and his release is not compatible with the welfare of society. Mr. Bowser, therefore, does not merit parole at this time.

Mr. Bowser'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. Bowser 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

4/26/18
Date