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RECORD OF DECISION

IN THE MATTER OF

EDWARD SIMPSON
W52573

TYPE OF HEARING: Review Hearing

DATE OF HEARING: January 21, 2025

DATE OF DECISION: May 13, 2025

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin,¹ Tina M. Hurley, James Kelcourse, Rafael Ortiz

VOTE: Parole is granted after 6 months in lower security to a Long-Term Residential Program.²

PROCEDURAL HISTORY: On February 11, 2000, following a jury trial in Plymouth Superior Court, Edward Simpson was convicted of burglary/assault in a dwelling and was adjudicated as a habitual offender. He received two concurrent life sentences with the possibility of parole. On that same date, convictions for larceny over \$250, malicious destruction of property, and possession of a Class D substance were placed on file. Parole was denied after an initial hearing in 2012, and after review hearings in 2014 and 2023. Mr. Simpson waived his 2018 review hearing. On January 21, 2025, Edward Simpson appeared before the Board for a review hearing. He was represented by student attorneys Rachel Serebrenik and Abigail Finn under the supervision of Attorney Joel Thompson from the Harvard Prison Legal Assistance Project. The Board's decision fully incorporates by reference the entire video recording of Edward Simpson's January 21, 2025, hearing.

STATEMENT OF THE CASE: In 1990, Edward Simpson was given a 10 year Concord sentence for unarmed robbery. He was paroled from that sentence in 1991. He was on parole for six months when he was arrested for unarmed robbery in Cambridge. He was convicted and sentenced to serve 6 to 10 years in prison for unarmed robbery, 3 to 5 years for attempted

¹ Board Member Coughlin was not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote.

² One Board Member voted to deny parole with a review in 2 years.

breaking and entering, and a 10 to 12 year suspended sentence for burglary. His convictions for unarmed robbery and breaking and entering served as a predicate offense for Mr. Simpson's habitual offender conviction. Mr. Simpson was again paroled in 1995, but his parole was revoked in 1997, when he was arrested for a burglary in Brockton.

On February 11, 2000, in Plymouth Superior Court, Mr. Simpson was found guilty after trial for burglary and for being a habitual offender. He was sentenced to serve life in prison. The conviction is the governing offense for which Mr. Simpson is now before the Board as a habitual offender. On March 21, 1997, Mr. Simpson broke into a home on Prospect Street in Brockton. He smashed a window to gain entrance and confronted the resident who had been asleep. Mr. Simpson demanded money and then took a wallet from the bedroom nightstand. He left the house through the window he had smashed and was apprehended by the police after a foot chase. The victim's credit cards were found in the bushes.

The facts of the predicate offenses are that, on November 16, 1991, at approximately 1:00 a.m., Mr. Simpson, who was on parole for robbery, broke into the victim's home while she was asleep in bed with her 9-year-old daughter. The victim's husband was away on a business trip. Mr. Simpson broke a window to gain entrance to the home and forced his way into the victim's bedroom. The victim was able to get a good look at Mr. Simpson as the hallway was well lit. Mr. Simpson grabbed the telephone from the victim and pushed her down on the bed. He went into her closet, took her purse, and emptied the contents onto the bed. He ripped open her wallet and took approximately \$250. He demanded more money and looked around the room, including under the mattress, and then fled. Once he left, she called the police. Two days later, on November 18, 1991, at approximately 2:20 p.m., Mr. Simpson attempted to break into the same victim's apartment. An upstairs neighbor called police when Mr. Simpson was observed peering into, and trying to open, the victim's apartment windows from outside of the house. Mr. Simpson gave a false name and false information when questioned by police. The upstairs neighbor positively identified Mr. Simpson. During a photo array, the victim positively identified Mr. Simpson as the person who had broken into her home.

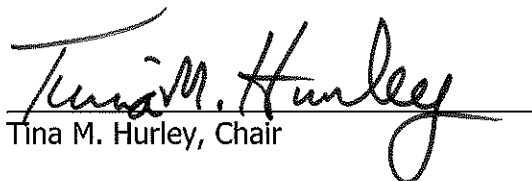
APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

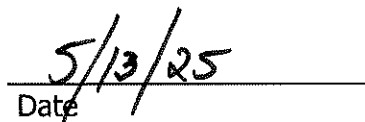
DECISION OF THE BOARD: This is Mr. Simpson's fourth appearance before the Board. He last appeared in 2023. He has been incarcerated for 28 years for burglary. He has completed three programs since his last hearing. Mr. Simpson had one disciplinary report since his last hearing, which was closed administratively. He has been sober for 33 months. Mr. Simpson has continued with self-development to include mental health treatment and relapse prevention. He

has remained employed. He is working towards his HiSet. He is engaged in extensive programming to address issues of violence, substance misuse, empathy, and vocational programming to include OSHA. The Board considered testimony from Mr. Simpson's mother in support of parole. The Board also considered opposition testimony from Plymouth District Assistant District Attorney Karen Palumbo. The Board concludes that Edward Simpson has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Long-Term Residential Program - Must complete; Waive work for programming; Electronic Monitoring for 6 months; Must take prescribed medication(s); Supervise for drugs, Testing in accordance with Agency policy; Supervise for liquor abstinence, Testing in accordance with Agency policy; Report to assigned MA Parole Office on day of release; No contact with victim(s)' family; Must have mental health counseling for depression and adjustment; AA or NA at least 3 times per week.

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.


Tina M. Hurley, Chair


Date