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*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

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Charlene Bonner  
Chairperson

**DECISION**

**IN THE MATTER OF**

**ERIC BROOKS**

**W41987**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** June 9, 2015

**DATE OF DECISION:** September 2, 2015

**PARTICIPATING BOARD MEMBERS:** Charlene Bonner, Tonomey Coleman, Sheila Dupre, Lee Gartenberg, Ina Howard-Hogan, 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 a unanimous vote that the inmate is a not suitable candidate for parole. Parole is denied with a review scheduled in five years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On December 17, 1985, in Suffolk Superior Court, Eric Brooks pleaded guilty to two counts of aggravated rape and was sentenced to two consecutive life sentences. On the same date, Brooks pleaded guilty to breaking and entering, assault and battery with a dangerous weapon, and armed assault with intent to murder. He was given two concurrent 7 to 10 year sentences and a concurrent 18 to 20 year sentence, respectively.

On April 17, 1986, in Suffolk Superior Court, Eric Brooks pleaded guilty to aggravated rape and was given a life sentence to be served, concurrently, with his second from and after life sentence on his 1985 rape convictions. On that same date, Brooks also pleaded guilty to breaking and entering in the nighttime and daytime, assault and battery with a dangerous weapon, and armed robbery. For those convictions, Brooks received three concurrent 7 to 10 year sentences.

### Rape of Victim 1:<sup>1</sup>

In the early morning hours of July 22, 1985, Eric Brooks, then age 25, broke into a Babson College student's apartment in Brighton. Victim 1 was awakened by a sound and saw the silhouette of Eric Brooks in the doorway of her bedroom. He then ran towards her bed, put his hand over her face, and put a knife to her throat. Brooks led her out of the bedroom, walked around the apartment with her at knife point, and then returned to the bedroom. He forced her onto the bed, made her remove her clothes, and raped her, calling her "bitch" throughout the attack. When he was finished, he went through her pocketbook and took some items. He then tied her hands behind her back, tied her feet together, and left the apartment.

After freeing herself and getting help from friends and neighbors, Victim 1 went to the hospital for treatment. When she returned to the apartment with officers to retrieve some belongings (before going to stay with a relative), she noticed damage to windows and other property, which lead to the conclusion that Brooks entered the apartment through the porch window into the bathroom. Victim 1 spent the next few hours at a relative's home and then returned to her apartment around 11:00 am, only to find that her apartment had been broken into again. A building custodian offered evidence that Eric Brooks was seen leaving the rear of a building near Victim 1's apartment and depositing items into a dumpster. Investigation revealed that items belonging to Victim 1 and/or her roommates were found in the dumpster. Additionally, officers located the knife believed to have been used in the attack, as it bore the same markings as other knives located in Brooks' apartment.

### Rape of Victim 2:<sup>2</sup>

On July 31, 1985 (less than two weeks after the first rape), at approximately 10:30 am, Victim 2 heard the doorbell to her apartment building ring and, shortly thereafter, heard a knock at her front door. She opened the door and saw Eric Brooks, who said he was a handy man sent to fix a leaky pipe in the kitchen. He showed Victim 2 a piece of paper with her name and apartment number on it and made his way into the kitchen. Victim 2 got ready for work and received a few phone calls. She then told Brooks that she was ready to leave for work and that he would have to come back another time. At that point, Brooks took out a knife, grabbed Victim 2 by the mouth, put the knife to her throat, and told her that he wanted money or he would hurt her. She showed him her pocketbook and Brooks took a few dollars from it. He insisted that she had more money, telling her that he had seen her counting large amounts of money over the last several nights. Victim 2 showed him a jar with coins in it and offered it to him. After briefly searching the apartment, Brooks forced Victim 2 into the bedroom at knifepoint and ordered her to disrobe. Victim 2 submitted to him out of fear for her life. She begged him not to hurt her and told him that she would do whatever he wanted. She then disrobed and Brooks proceeded to rape her. When he was finished, he got a rope, put it around her neck, and started to strangle her. She fought for her life by putting her fingers

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<sup>1</sup> & <sup>2</sup> The names of victims of crimes involving sexual assault are withheld pursuant to G.L. c. 265, s. 24C. Portions of a parole Record of Decision may be withheld to preserve its confidentiality. See G.L. c. 127, s. 130.



under the rope, trying to get oxygen. Brooks continued to strangle her with the rope as she struggled. He eventually released the pressure on her neck, but then placed a pillow over her face and tried to smother her. She remembers thrashing about, and then feeling the pressure ease, before hearing Brooks leave the apartment.

Victim 2 could not move for a few minutes and when she did, she realized that her throat had been slashed and that she had deep cuts on her wrists and shoulders. She could not walk. She tried to crawl to the door, but the tendons in her wrists had been severed. She managed to make her way to an open window and started screaming. A neighbor below heard the screams and came to her aid. An employee of a nearby building gave evidence that Brooks was seen coming out of Victim 2's building, just prior to her screaming out the window. When Brooks was arrested, he was wearing a gold chain stolen from Victim 2's apartment.

## **II. CRIMINAL HISTORY**

Eric Brooks has a violent criminal history (in three different states) that began when he was a juvenile. In New York, Brooks was charged as a juvenile with offenses that include grand larceny, possession of weapons, possession of stolen property, and being a stubborn child. In 1981, in Broome County, New York, Brooks pleaded guilty to first degree sexual assault and was incarcerated in Attica for several years, followed by a period of probation. Brooks was on parole in New York when he committed the rapes in Massachusetts. Brooks also has a criminal history in North Carolina that began when he was 16-years-old. He was charged with two counts of vehicle theft and was committed to Youth Services for 12 months, after pleading guilty to two counts of unauthorized use of a vehicle and larceny. Brooks was also committed in North Carolina as an adult in 1978, where he was sentenced to 2-3 years for felony assault and assault with a deadly weapon.

## **III. PAROLE HEARING ON JUNE 9, 2015**

On June 9, 2015, Eric Brooks appeared without legal representation before the Parole Board for his initial hearing. He has been incarcerated for 30 years, and is currently working in the Cadre Program at Bridgewater State Hospital. In his opening remarks, Brooks informed the Board that during his incarceration, he gained insight into his criminal behavior. He told the Board that "I view the crimes as a way to gain power and control." He further noted that through his participation in the sex offender treatment program, he learned who he is and how he is now "better suited to avoid violence."

In response to questions from the Board, Brooks provided information about his background and the events that related to his violent rapes of two women. Brooks described a dysfunctional home life, resulting in his placement in foster homes. He dropped out of school in the 11<sup>th</sup> grade and was eventually committed to the Department of Youth Services. He advised the Board that he was sexually assaulted by a female nurse, when he was a 13-year-old inpatient during a court ordered 90 day observation period. He said that he never told anyone about this abuse because he was too embarrassed. He began experimenting with alcohol at an early age and denies any current issues with alcohol, despite his disciplinary infractions while incarcerated for possession of homebrew. Brooks stated that he sold the homebrew, but did not consume any of it.



At Bridgewater State Hospital, Brooks has been a Cadre worker since 2009. He works in the kitchen and participates in the Companion Program assisting mentally handicapped patients. He advised the Board that his institutional programming has helped him view woman differently and said, "I know today I can't physically hurt another woman...I have respect for women." The Board questioned Brooks about his 1993 disciplinary report for attempting to manipulate a staff member (a female computer instructor) into a non-professional relationship, including allegations that he planned to lure her into a secluded area and sexually assault her. Brooks adamantly denied any such behavior or sexually devious intentions. He repeatedly told the Board that he was just friends with her and that any gestures or intimations on his part were strictly platonic. The Board also questioned him about his other disciplinary reports, including possession of unauthorized items and weapons, insolence to staff, being out of place, assaulting another inmate, and obscene phone calls to a staff member.

Brooks was questioned extensively about his participation in the Sex Offender Treatment Program, as well as his choice to transfer to Bridgewater State Hospital (rather than continue to participate in the Sex Offender Maintenance Program, as recommended by the Treatment Review Panel in 2007<sup>3</sup>). Brooks admitted that he has not participated in any sex offender treatment in the past eight years. Unbelievably, Brooks testified that he was unaware that "maintenance was being offered." He further told the Board that he feels his completion of the SOTP in 2007 adequately addressed his anger and violence issues and that "I have outgrown that...I am not the same person I was 30 years ago."

No one testified in support of Brooks' parole, but two letters of support were submitted. The Suffolk County District Attorney's Office submitted a letter of opposition. The letter contested Brooks' parole due to his disciplinary report for assaulting a female staff member, the nature of his crimes, and his apparent intent to kill the second victim.

#### **IV. DECISION**

Eric Brooks' rehabilitative efforts to address the causative factors, resulting in two vicious rapes on strangers, remain a concern for the Board. Brooks has declined to participate in any sex offender treatment maintenance in the past eight years, despite his brutal crimes, his disciplinary report for assaulting a female staff member, and the recommendation of the Treatment Review Panel. The Board is not convinced that Brooks was unaware of the Maintenance Program available to him. In addition, Brooks' receipt of a disciplinary report for assaulting a female staff member challenges his assertion that his "view of women has changed."

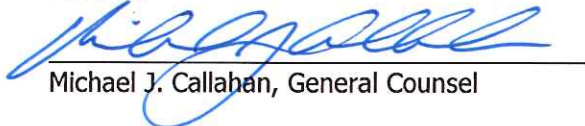
The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." Applying that appropriately high standard here, it is

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<sup>3</sup> The Treatment Review Panel stated "...it is notable that Mr. Brooks' offenses were rather violent and included the use of a weapon, which could have led to the death of his victim (he cut her neck). Mr. Brooks is advised to continue to participate in maintenance treatment while he remains imprisoned and to seek treatment upon his release."

the unanimous opinion of the Board that Eric Brooks does not merit parole at this time. The review will be in five years from the date of the hearing, during which time Brooks should continue to engage in available programming and continue to exhibit positive behavior. He should make it a priority to participate in sex offender treatment maintenance programming, and he should avoid the troublesome behavior that has tarnished his rehabilitative efforts to date.

*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.*

  
Michael J. Callahan, General Counsel

September 2, 2015  
Date