

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Terrence M. Reidy
Secretary

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone: (508)-650-4500

Facsimile: (508)-650-4599



Tina M. Hurley
Chair

Daniel Nakamoto
Acting Executive Director

RECORD OF DECISION

IN THE MATTER OF

HOWARD BROWN
W34824

TYPE OF HEARING: Review Hearing

DATE OF HEARING: August 15, 2023

DATE OF DECISION: November 14, 2023

PARTICIPATING BOARD MEMBERS: Tina M. Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse

STATEMENT OF THE CASE: On January 13, 1975, in Hampshire Superior Court, Howard Brown pleaded guilty to the second-degree murder of Lois Boucher and was sentenced to life in prison with the possibility of parole.

On October 5, 1973, Howard Brown (age 20) went to the home of his girlfriend, Lois Boucher (age 17), where he found her watching television with her mother. Ms. Boucher had been increasingly unhappy with their relationship due to Mr. Brown's significant physical and emotional abuse. An argument ensued that evening, which carried out into the front of the home. During the argument, Mr. Brown picked up Ms. Boucher by the neck and carried her approximately 20 feet. He put her down on the road and pounded her head against the pavement multiple times. In his confession to police, Mr. Brown stated, "I stood and carried her about twenty feet. The reason I grabbed her was because she called me stupid. While I was carrying her, she was making funny noises and choking sounds. When I got to the road, I turned her over and bashed her head against the pavement three or four times. I wanted to kill her because it was me or nobody. After I thought she was dead, I threw her to the side of the road." Ms. Boucher died approximately three hours later as a result of a fractured skull and brain lacerations. Mr. Brown left the scene and was involved in a motor vehicle accident. He was arrested a short time later at his parent's home.

PAROLE HEARING: Howard Brown appeared before the Board on August 15, 2023, for a review hearing. He was not represented by counsel. Mr. Brown was denied parole after his initial hearing in 1988, and after his review hearings in 1989, 1990, 1992, 1995, 1998, 2003,

2008, 2013, and 2018. The entire video recording of Mr. Brown's August 15, 2023 hearing is fully incorporated, by reference, in the Board's decision.


DECISION OF THE BOARD: 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.

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 five years from the date of the hearing.¹

In forming this opinion, the Board has taken into consideration Mr. Brown'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. Brown's risk of recidivism. After applying this standard to the circumstances of Mr. Brown's case, the Board is of the opinion that Mr. Brown is not yet rehabilitated and, therefore, does not merit parole at this time.

The Board is of the opinion that Mr. Brown has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Subject has refused all recommendations from the Board. He has been incarcerated since 1973. He has threatened violence against institutional staff. (He has a criminal conviction for assaulting a correctional officer.) He has refused the Board's recommendations that he consult with counsel for purposes of preparing for the hearing or developing a release plan. He has not engaged in any programming and demonstrates no remorse for his crime. The Board has offered counsel multiple times in the past. The Board has voiced concerns regarding subject's mental health status, but subject refuses all suggestions and recommendations to engage in a mental health evaluation.

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

11/14/2023

Date

¹ Two Board Members noted that Mr. Brown may request reconsideration if he obtains legal representation. One of the two Board Members noted that he may also request reconsideration if he undergoes a mental health evaluation and submits a report.