



**Charles D. Baker**  
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*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

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**Paul M. Treseler**  
Chairman

**Michael J. Callahan**  
Executive Director

**DECISION**

**IN THE MATTER OF**

**JAMES ALLEN**

**W54114**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** May 2, 2017

**DATE OF DECISION:** March 7, 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 parole is granted to a long term residential program.

**I. STATEMENT OF THE CASE**

On March 5, 1993, in Plymouth County Superior Court, a jury found James Allen guilty of second-degree murder. He was sentenced to life in prison with the possibility of parole. Mr. Allen's co-defendant, George Fraser, pleaded guilty to manslaughter and was sentenced to 7-12 years in prison.

Mr. Allen and Henry Long had gotten into a dispute three weeks prior to the murder. Then, on May 10, 1991, James Allen (age 32) assaulted Henry Long (age 47) and beat him to death in Kingston. After drinking at a woman's home, Mr. Allen and Mr. Fraser dragged Mr. Long from the home and threw him off the porch. Mr. Allen kicked Mr. Long numerous times in the head and jumped on him. Mr. Long weighed 120 pounds and was unable to resist the assault. Mr. Long died the following day. The medical examiner documented numerous abrasions and contusions to the face, head, and body of Mr. Long. The Kingston police arrested Mr. Allen on May 11, 1991.

Mr. Allen was released on parole on September 12, 2006, following his initial parole hearing. He completed a residential treatment program, moved to a residence on the South Shore, and obtained a job as an HVAC technician. Mr. Allen was compliant with parole conditions until June 15, 2008, when he was arrested by Marshfield police and charged with breaking and entering in the night time and breaking and entering a motor vehicle. Parole was revoked and he was sentenced to serve two years in the Plymouth House of Correction.

## **II. PAROLE HEARING ON MAY 2, 2017**

James Allen, now 59-years-old, appeared before the Parole Board for a review hearing on May 2, 2017. His review hearings in 2006 and 2011 each resulted in the denial of parole. In his opening statement to the Board, Mr. Allen expressed remorse for the death of Henry Long. Mr. Allen acknowledged that at his last review hearing in 2012, he blamed his relapse (while on parole) on his reconnection with his brother. Mr. Allen took responsibility for his actions and apologized to the Board for refusing to accept responsibility at his prior hearing. He stated that he now realizes his decision to begin drinking again was his own, as were all of his subsequent actions that led to his revocation of parole.

In describing the events that led to his revocation in 2006, Mr. Allen stated that he was initially released to a long term residential program for 6 months and, subsequently, moved to Plymouth, where he lived with a girlfriend. Although Mr. Allen was able to complete long term residential program successfully, as well as complete training in HVAC and obtain employment, he explained that he had issues adjusting to life outside of prison, including suffering from agoraphobia, learning computer skills, and paying child support. Eventually, he stopped both counseling and attending Alcoholics' Anonymous ("AA") meetings. Consequently, this led to Mr. Allen's relapse, which occurred in June 2008. On the day of his relapse, Mr. Allen said he met with his brother, and they went to a house in Marshfield, where there was a cookout. Mr. Allen began drinking at the cookout and later continued drinking at a bar. At some point, he recalls being inside of a different house in Marshfield and a man yelling at him to get out. Mr. Allen left the house and entered a van that he believed to be his service van, but, in fact, was not. Mr. Allen indicated that he must have "blacked out" and does not recall how he got to the house. He believes that he was looking for the house that he was at with his brother earlier in the day. Mr. Allen was subsequently arrested and his parole was revoked.

Mr. Allen acknowledged that his alcoholism was a major factor in both the murder of Mr. Long and the breaking and entering incident that led to his return to prison. In describing the murder, Mr. Allen stated that he and a friend were drinking at a park. His friend asked Mr. Allen to go to a woman's house to watch a basketball game, where they continued to drink. At some point, Mr. Allen heard the woman yelling to "get him out of here." Mr. Allen stated that he assumed Mr. Long was "acting up again" and he had observed that the woman had two black eyes, but hadn't noticed any new injuries. Mr. Allen grabbed Mr. Long from the bedroom and threw him out of the house. Mr. Long re-entered the house through the back door. At some point, the woman began yelling again. Mr. Allen dragged Mr. Long out of the house and kicked him three times, losing his balance and landing on Mr. Long. He got up and went back inside the house. The woman then came out of the bedroom and asked where Mr. Long was and called the police. The police arrived and gave Mr. Allen a ride to Plymouth. Mr. Allen became concerned for Mr. Long when he observed an ambulance arrive at the house. When he learned of Mr. Long's death, he "felt bad" and "couldn't believe it."

Mr. Allen stated that it wasn't until he returned to prison after the parole revocation, that he first accepted that he was an alcoholic and could no longer drink. He stated that before he was "just going through the motions," but that now he wants to stay sober and attend AA meetings. Since his parole was revoked, Mr. Allen has participated in several programs and has had a positive adjustment while incarcerated; acquiring only one disciplinary report for possessing a ceramic mug, which was ultimately dismissed. He attends AA meetings and Narcotics Anonymous ("NA") meetings on a weekly basis and has completed programs, such as Correctional Recovery Academy, Criminal Thinking, Active Listening, Alternatives to Violence (Phases I and II) and culinary arts training.

The Board considered testimony in support of parole from Mr. Allen's older sister. The Board also considered testimony in opposition to parole from both the victim's son and Plymouth County Assistant District Attorney Keith Garland.

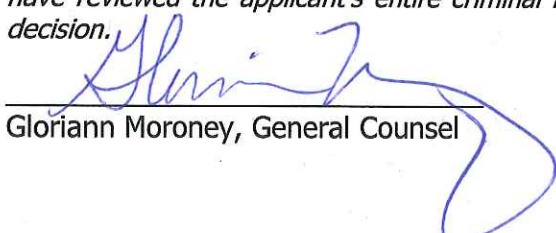
### **III. DECISION**

James Allen has been in custody for 9 years after a relapse while on parole supervision. He is active in AA/NA and Big Book. He intends on working with SPAN. Incarceration has served its purpose. Continued intensive treatment as he reintegrates is in the interest of public safety.

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. Allen'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. Allen's risk of recidivism. After applying this standard to the circumstances of Mr. Allen's case, the Board is unanimously of the opinion that Mr. Allen merits parole at this time to a long term residential program, subject to special conditions.

**SPECIAL CONDITIONS:** Waive work for LTRP (Long Term Residential Program); Must be at home between 10:00 p.m. and 6:00 a.m.; GPS monitoring at parole officer's discretion; 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; Must have mental health counseling for adjustment/transition; Long Term Residential Program; Mandatory AA, Home Group, and Sponsor.

*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

3/7/18  
Date