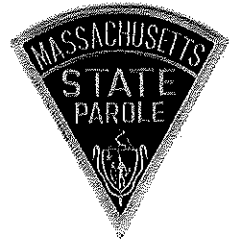


The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**JAMES DOUGLAS**

**W67034**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** July 31, 2018

**DATE OF DECISION:** November 6, 2018

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa, and 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 that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in one year from the date of the hearing.<sup>1</sup>

**I. STATEMENT OF THE CASE**

On September 15, 1999, in Essex County Superior Court, James Douglas pleaded guilty to second degree murder in the death of 2-year-old Amanda Brown. He was sentenced to serve life in prison with the possibility of parole. On February 20, 2003, Mr. Douglas filed a motion to withdraw his guilty plea and sought a new trial. Mr. Douglas' motion was denied.

On August 29, 1998, in Haverhill, 19-year-old James Douglas stomped on the stomach of Amanda Brown, the niece of his live-in girlfriend, who was in his care. According to Mr. Douglas, he wanted to watch television and Amanda's crying annoyed him. His reason for stomping on her was to quiet her down. When he checked on her a couple of hours later, however, he found her to be cold and not breathing. Although emergency personnel arrived and attempted to revive

<sup>1</sup> One Board Member voted to deny parole with a three year review.

her, Amanda Brown died from blunt trauma to the stomach. On September 2, 1998, Mr. Douglas was interviewed by police and admitted to stepping on Amanda.

## **II. PAROLE HEARING ON JULY 31, 2018**

James Douglas, now 39-years-old, appeared before the Parole Board for a review hearing on July 31, 2018. He was not represented by counsel. Mr. Douglas was denied parole after his initial hearing in 2013. In his opening statement to the Board, Mr. Douglas apologized to the "victims of my crime" and expressed his remorse. He regrets the decision he made on the day of the murder and accepts responsibility for his actions. He told the Board that he has changed his life and is not the same person he was at the time of the murder. At that time, he was living his life as "a wild teenager," drinking, smoking marijuana, and committing crimes. Additionally, he used violence towards his (then) girlfriend. In regard to his family, Mr. Douglas said that he is one of five children and maintains contact with his siblings. He left school after the tenth grade because he wanted to hang out with his older brothers. He admitted that he has learning disabilities. Mr. Douglas told the Board that he gets regular visits from his mother, as well as from his girlfriend and her son. He had contact with his daughter in 2013, but has not had contact with his two sons. He stated, however, that he would like to reconnect with his children.

Mr. Douglas spoke about the events surrounding the murder. When questioned by the Board, Mr. Douglas denied hurting Amanda prior to the murder. On the day of the murder, Mr. Douglas was with Amanda and some other children, two of which were his own. He stated that he was watching television, and that Amanda was crying. He indicated that he was frustrated and angry and had a violent temper. Mr. Douglas, who was 175 pounds at the time, stated that Amanda was laying on the floor, and he stomped on her. Mr. Douglas said that he went back to check on her after approximately five minutes, but she was blue. He indicated that he tried CPR on the child.

Mr. Douglas told the Board that he is currently attending the Graduate Maintenance Program (GMP). He enjoys this program as it helps him stay focused. He acknowledged that he completed the Correctional Recovery Academy (CRA) program, Violence Reduction, Criminal Thinking, Alternatives to Violence, and Jericho Circle Project. He is also involved with the Lifer's Group. In addition, Mr. Douglas told the Board that he is a janitor at the facility. He indicated that he is an open mental health case, so he participates in counseling once a month and takes Paxil for anxiety. He has issues with his ears involving hearing loss. Mr. Douglas said that he is a member of the Muslim community and attends services. He is also working on his GED at this time. Since his last hearing, Mr. Douglas reported that he received a disciplinary report for fighting and for receiving a tattoo while incarcerated. Mr. Douglas told the Board that, if paroled, he would like to live with his girlfriend and continue with counseling and mental health treatment. When a Board Member asked him to describe other areas he could address prior to being considered for parole, Mr. Douglas responded, "Anger issues."

The Board considered testimony in support of parole from Mr. Douglas' girlfriend. A letter in support of parole from Mr. Douglas' sister was read to the Board. The Board considered testimony in opposition to parole from Amanda Brown's two sisters, father, and step-mother. Essex County Assistant District Attorney Elin Graydon provided testimony in opposition to parole.

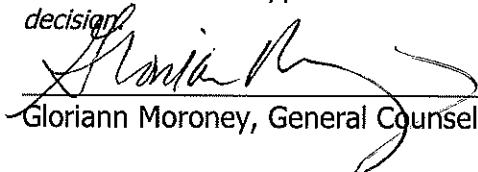
### III. DECISION

The Board is of the opinion that James Douglas has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. At present, Mr. Douglas does not meet the legal standard. The Board recommends Mr. Douglas obtain legal representation and participate in a mental health evaluation/assessment.

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. Douglas' 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. Douglas' risk of recidivism. After applying this standard to the circumstances of Mr. Douglas' case, the Board is of the opinion that James Douglas is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Douglas' next appearance before the Board will take place in one year from the date of this hearing. During the interim, the Board encourages Mr. Douglas 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/Executive Director

11/6/18  
Date