



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

JEFFREY KELCOURSE

W43823

TYPE OF HEARING: Review Hearing

DATE OF HEARING: April 2, 2019

DATE OF DECISION: January 27, 2020

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, Colette Santa, Paul Treseler¹

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, the criminal record, the 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 four years from the date of the hearing.²

I. STATEMENT OF THE CASE

On July 9, 1987, in Plymouth Superior Court, Jeffrey Kelcourse was convicted by a jury of the second degree murder of 36-year-old Terrence Thatcher. He was sentenced to life in prison with the possibility of parole. The Supreme Judicial Court of Massachusetts affirmed the indictment leading to his conviction.³

On December 11, 1986, 27-year-old Jeffrey Kelcourse was drinking at a bar with his girlfriend when they met Terrence Thatcher and his female acquaintance. Mr. Thatcher happened to be blind, a fact of which Mr. Kelcourse was aware. Mr. Kelcourse invited the group back to his

¹ Board Member Treseler was present at the hearing, but was no longer a Board Member at the time of vote.

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

³ *Commonwealth v. Kelcourse*, 404. Mass. 466 (1989).

home to continue partying into the early morning hours of December 12. There, the two women separated from Mr. Kelcourse and Mr. Thatcher, who remained talking in the kitchen. The men's conversation escalated, however, into a loud argument as to which one of them was a "bad mother[expletive]." Mr. Kelcourse then walked upstairs, retrieved a shotgun, and returned to the kitchen. As the argument continued, Mr. Kelcourse loaded the shotgun, pointed it at Mr. Thatcher, and then shot him in the head at close range. Mr. Thatcher succumbed to his injuries from the single gunshot wound.

II. PAROLE HEARING ON APRIL 2, 2019

Mr. Kelcourse, now 60-years-old, appeared before the Parole Board for a review hearing on April 2, 2019. He was not represented by counsel. Mr. Kelcourse was denied parole at his 2001 initial hearing, but was granted parole after his 2007 review hearing. While on parole in South Carolina, Mr. Kelcourse was arrested three times in 2008. His parole was subsequently revoked in 2009. Mr. Kelcourse was denied parole after review hearings in 2009 and 2014. In his opening statement to the Board at this hearing, Mr. Kelcourse apologized for the hurt caused as a result of his crime. He stated that he began drinking alcohol at work on the morning of the murder. He claimed that the argument between Mr. Thatcher and himself started because Mr. Thatcher was "making a lot of noise." At one point, Mr. Kelcourse explained, "Everyone was drunk" and, when Mr. Thatcher continued to make noise, he (Mr. Kelcourse) decided to retrieve his shotgun. When asked by the Board as to why he retrieved the gun, Mr. Kelcourse replied, "I don't know, it was the stupidest idea in the world." He explained that he shot Mr. Thatcher from about four feet away and then called police immediately. Mr. Kelcourse stated that it took time for him to understand the ripple effect of his actions; namely, that he took Mr. Thatcher away from his family.

Mr. Kelcourse told the Board that when he was granted a parole permit in 2007, he believed that he was "ready for everything," including work and relationships. He claimed that he was doing well until he began a romantic relationship with a woman involved in drug use and criminal activity. When Board Members noted that he was arrested in South Carolina for domestic violence while on parole, Mr. Kelcourse stated that he should have "kept his hands to [him]self." He claims to have addressed his domestic violence issues in the Correctional Recovery Academy. In addition to completion of the Correctional Recovery Academy, Mr. Kelcourse completed a mental health and anger management program, a victim awareness class. He has remained involved with Alcoholics Anonymous and Veterans Affairs. The Board raised concerns about Mr. Kelcourse's history of fighting, specifically pointing to three instances since his parole revocation. During a fight with another inmate in 2016, the inmate sustained multiple puncture wounds. As a result, Mr. Kelcourse received a disciplinary unit placement for 15 days. Mr. Kelcourse admitted to the Board that he has anger issues.

If granted parole, Mr. Kelcourse cited the Department of Veterans Affairs and Alcoholics Anonymous as his main source of community support. He explained that he suffers from post-traumatic stress disorder due to emotional and physical trauma from childhood and would seek mental health treatment through the Department of Veterans Affairs. Although Mr. Kelcourse believes he has addressed his issues, he admits that he would benefit from therapy, additional counseling for anger, and violence reduction programming. He also told the Board he would not engage in any romantic relationships, if paroled, as it remains a trigger for him.

Mr. Thatcher's niece testified in opposition to parole. The Board also considered letters in opposition to parole. Plymouth County Assistant District Attorney Keara Kelley testified in opposition to parole and submitted a letter of opposition, as well.

III. DECISION

Jeffrey Kelcourse has not yet demonstrated a level of rehabilitation that would make his release compatible with the welfare of society. Mr. Kelcourse incurred a serious disciplinary infraction in 2016, resulting in a 15 day DDU (Department Disciplinary Unit) sanction.

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

Mr. Kelcourse's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages Mr. Kelcourse 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.


Pamela Murphy, General Counsel

11/27/2020
Date