

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

JON LITTLE

W67693

TYPE OF HEARING: Review Hearing

DATE OF HEARING: December 12, 2019

DATE OF DECISION: July 22, 2020

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

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 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.

I. STATEMENT OF THE CASE

On February 7, 2000, after a jury trial in Barnstable Superior Court, Jon Little was convicted of second-degree murder in the death of Paul Peterson (age 58) and sentenced to serve life in prison with the possibility of parole. On that same date, he was also sentenced to serve a concurrent sentence of 5 to 7 years for conspiracy to commit arson. The Massachusetts Appeals Court affirmed the convictions on May 28, 2002. *Commonwealth v. Little*, 54 Mass. App. Ct. 877, 768 N.E.2d 611 (2002).

On October 14, 1998, Jon Little stabbed and killed Paul Peterson. Mr. Little, a 34-year-old homeless man, had an altercation with Mr. Peterson over an abandoned railroad shed in Hyannis. Their argument, fueled by vodka, burst into violence. While Mr. Little's female

companion, Ruth McHenry, looked on, the two men, armed with knives, fought one another. Mr. Little (with assistance from Ms. McHenry) prevailed, and Mr. Peterson died almost immediately from multiple stab wounds. After leaving Mr. Peterson's body in the railroad shed, Mr. Little and Ms. McHenry checked into a motel and spoke to another friend, Elliot Long. Mr. Little told him that he had killed a man and needed Mr. Long to "torch" the railroad shed. Mr. Little gave Mr. Long 20 dollars and instructed him to put diesel fuel on Mr. Peterson's body and in and around the shed. He was then told to light it all on fire. Mr. Long went to the shed and did as he was instructed. A little while later, Mr. Long returned to the motel room. Mr. Little asked Mr. Long, "Is it all set?" Mr. Long replied, "I took care of it."

All of the evidence, including their clothing, was placed in a trash bag and thrown into a dumpster by Ms. McHenry. About two hours after Mr. Little killed Mr. Peterson, a Barnstable police officer saw smoke billowing from the area of the shed and called the fire department. As Barnstable firefighters were extinguishing the fire, they discovered Mr. Peterson's charred body.

II. PAROLE HEARING ON DECEMBER 12, 2019

Jon Little, now 55-years-old, appeared before the Parole Board for a review hearing on December 12, 2019. He was represented by Attorney Justin Dreschler. Mr. Little was denied parole after his initial hearing in 2013. Mr. Little explained that he was homeless at the time of the offense and described himself as a "mess." He was bipolar and had a personality disorder, stating that this was a very "dark" time in his life. He knew Mr. Peterson in passing and did not have any issues with him. Mr. Little said that he started drinking hours before the murder and had been detoxing from prescribed medication. Mr. Little admitted to the Board that he was armed with a knife. After seeing Mr. Peterson, both men argued, and Mr. Peterson proceeded to cut him on the bridge of his nose. Subsequently, Mr. Little took out his own knife and stabbed Mr. Peterson nine times. Mr. Little then went to a liquor store and purchased alcohol with money stolen from Mr. Peterson. He learned the next day that the building, where Mr. Peterson's body was located, had been burned. Mr. Little told the Board that he panicked, stating that there was "no reason" Mr. Peterson should be "dead."

In discussing his childhood, Mr. Little said that he was born in Hyannis and has a brother and sister. His sister was a "constant" family member in his life, but Mr. Little described his household as a "toxic environment." He was physically abused, and his parents were alcoholics. Mr. Little added that he was married twice. He has three children, but does not have any contact with them. Mr. Little acknowledged his use of narcotics and alcohol in the community, but states that he has been sober for 21 years. When Board Members questioned him about program participation since his last hearing, Mr. Little said that he attends Alcoholics Anonymous, having renewed his commitment to the program. The Board noted his completion of nine programs, including the Correctional Recovery Academy, Jericho Circle, Emotional Awareness, and Restorative Justice Reading program. Mr. Little is also employed in the clothing shop in the prison industries.

When Board Members questioned him as to his mental health, Mr. Little said that he is in counseling, but does not take any medication. When Board Members expressed concern, noting Dr. Frank DiCataldo's forensic mental health evaluation, Mr. Little claimed to be amenable to going back on medication for mental health purposes. He also indicated that he is willing to use Dr. DiCataldo's report to assist him with the institution's mental health services. Although Board

Members noted Mr. Little's progress, they explained that he has more work to do regarding his mental health issues. Board Members pointed out that the report indicates the most acute risk scenario for Mr. Little is to discontinue mental health treatment and to relapse on substances. Mr. Little acknowledged that he is difficult to treat and expressed his frustration with the constant change of counselors in the institution. The Board indicated that he cannot be both the provider and the patient. When the Board asked if he is concerned that he does not yet have a support system in the community, Mr. Little responded, "As of yet, yes." He went on to describe himself as being "self-sufficient."

The Board considered testimony from Dr. Frank DiCataldo regarding his forensic mental health evaluation.

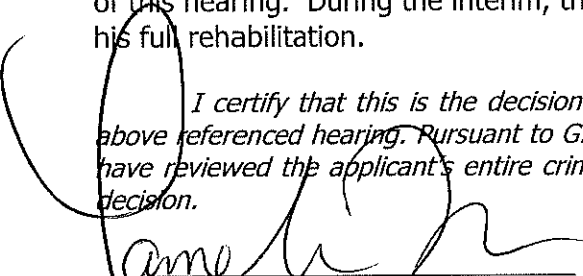
III. DECISION

Mr. Little is incarcerated for the murder of Paul Peterson, a homeless man. Although he has engaged in treatment/programming, he has yet to make enough rehabilitative progress that would make his release compatible with the welfare of society. In rendering their decision, the Board did strongly consider the recommendations made by Dr. DiCataldo in his evaluation that Mr. Little should reengage in mental health treatment, accept medication recommendations, and partake in NA/AA. Release does not meet the legal standard.

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

Mr. Little'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. Little 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

7/22/2020
Date