



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

JUSTIN GAOUCETTE
W83131

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 17, 2025

DATE OF DECISION: January 6, 2026

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Sarah B. Coughlin, Angelo Gomez Jr., James Kelcourse, Rafael Ortiz¹

VOTE: Parole is granted to LTRP (Long-Term Residential Program) after a total of nine months in lower security.

PROCEDURAL HISTORY: On February 6, 2004, following a jury trial in Bristol Superior Court, Justin Gaouette was convicted of murder in the second-degree for the death of David Silva. He was sentenced to life in prison with the possibility of parole. On that same date, he was sentenced to 8-12 years for armed assault with intent to murder; 4-5 years for assault and battery dangerous weapon; 4-5 years for unlawful possession of a firearm; and 4-5 years for receiving stolen property, all to run concurrently. In addition, a charge of unlawful possession of ammunition without an FID card was filed. Parole was denied following an initial hearing in 2017. After a review hearing in 2019, Mr. Gaouette was granted parole and released on parole supervision in 2021. In 2023, Mr. Gaouette violated parole and was denied re-parole in 2024.

On July 17, 2025, Mr. Gaouette appeared before the Board for a review hearing. He did not have legal representation.

¹ Board Member Alexander was not present at the hearing. The Chair deemed Board Member Alexander unavailable for the vote on this matter because, due to a malfunction in the Board's audio equipment, she was unable to review the full record of the public hearing. Former Acting Chair Coleman participated in the hearing but had departed the Board prior to the vote on this matter.

STATEMENT OF THE CASE: In the fall of 2002, Matthew Silva borrowed \$20 from 19-year-old Justin Gaouette and, in exchange, promised to help install a radio in Mr. Gaouette's vehicle. In November 2002, Mr. Gaouette's vehicle was involved in an accident, and he no longer wanted the stereo. He wanted his money back instead. Matthew Silva did not repay the debt, which incited hostilities between the two men. Between Thanksgiving and Christmas 2002, Mr. Gaouette acquired a handgun. The conflict between the two men continued. It escalated on New Year's Eve, when Mr. Gaouette threatened to fight Matthew Silva upon realizing that the latter did not intend to repay the debt. After a near-fight the day before, tensions continued to mount on New Year's Day 2003, when a conversation between the men's girlfriends about the previous day devolved. Mr. Gaouette made a series of threats to fight Matthew Silva, which were relayed both through his girlfriend and directly to him.

Mr. Gaouette retrieved a .38 caliber revolver that he had recently purchased and loaded it with six bullets. He and his girlfriend drove to confront Matthew Silva. Matthew Silva was with his two brothers and a group of friends. Matthew Silva had gone into the house just prior to Mr. Gaouette's arrival. He emerged and moved quickly towards Mr. Gaouette's vehicle with a baseball bat, ultimately smashing the window with it. Mr. Gaouette retrieved his firearm and fired three shots, one of which struck Matthew Silva in the elbow and another which struck David Silva. David Silva collapsed on the sidewalk and was pronounced dead at the hospital. After firing the gun, Mr. Gaouette drove away. He was later pulled over by the police, whereafter he made statements of admission.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the 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 and/or in written submissions to the Board.

DECISION OF THE BOARD: Mr. Gaouette appeared before the Board for the fourth time. He was returned to custody in 2023. Since then, he has not received any disciplinary reports. He has completed multiple rehabilitative programs to address his need areas. He obtained his GED while incarcerated and hopes to continue to pursue his education. Mr. Gaouette demonstrated insight into his actions which resulted in his return to custody. Mr. Gaouette invested in the Board's recommendations and re-entry planning. The Board considered public testimony in support of parole from a member of the community. The Board concludes by unanimous decision that Justin Gaouette has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Waive work for 2 weeks or program; Must be home between 10 PM and 6 AM or at PO's discretion; Electronic monitoring for 6 months; 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; No contact or association with [named individual]; No contact with victim's family; Must have mental health evaluation – evaluate for ADHD and follow recommendations; Must have mental health counseling for domestic relations; Long Term Residential Program; AA/or NA at least 3 times/week; Other - Must utilize one of the following: Mentor, Peer Support, or Recovery Coach; Mandatory - GPS Exclusion Zone - Mass & Cass except for medical appointments.

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.


Angelo Gomez, Jr., Chair

January 6, 2026
Date