

Charles D. Baker Governor

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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

F36166

TYPE OF HEARING:

Initial Hearing

DATE OF HEARING:

January 26, 2016

DATE OF DECISION:

May 31, 2016

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, 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 the 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 five years from the date of the hearing.²

¹ On January 26, 2016, the parole petitioner introduced herself to the Parole Board as Katherine McGlincy. Prior Records of Decision, published by the Parole Board on February 14, 2008 and April 17, 2012, have identified the parole petitioner as Katherine Dickson. This is the same name listed in the sentencing mittimuses related to the parole petitioner's underlying convictions and Massachusetts criminal history. For clarity's sake (and in order to maintain efficient record keeping), the Parole Board has elected to identify the parole petitioner as Katherine Dickson in the heading of this Record of Decision. Throughout the remainder of this Record of Decision, the parole petitioner will be referred to as Katherine McGlincy (Dickson).

² Six of the seven Members of the Parole Board voted to schedule a review hearing on Ms. McGlincy's (Dickson) petition for parole in five years. One Board Member voted to schedule a review hearing in three years with a prescription that Ms. McGlincy (Dickson) continue with mental health treatment and focus on a re-entry plan that would support all of her needs.

I. STATEMENT OF THE CASE

On September 1, 1994, in Plymouth Superior Court, Katherine McGlincy (Dickson) pled guilty to the second degree murders of Eero and Lillian Helin. On that same date, Ms. McGlincy (Dickson) also pled guilty to unlawfully carrying a firearm and to armed assault with intent to murder Mark Walther. Separate concurrent sentences of life in prison, with the possibility of parole, were imposed on Ms. McGlincy (Dickson) for the murders of Mr. and Mrs. Helin. Ms. McGlincy (Dickson) was also sentenced to a term of imprisonment of not more than 5 years and not less than 3 years for her conviction of unlawfully carrying a firearm. The term of imprisonment imposed on Ms. McGlincy (Dickson) for her conviction of unlawfully carrying a firearm was ordered to run concurrent with her life sentences. For her conviction of armed assault with intent to murder Mr. Walther, Ms. McGlincy (Dickson) was sentenced to a term of imprisonment of not more than 10 years and not less 5 years. imprisonment was ordered to be served from and after her life sentences. Also, in 1987, she was convicted of assault with intent to kill and assault and battery with a dangerous weapon. She received a suspended term of imprisonment of not more than 7 years and not less than 5 years. Ms. McGlincy (Dickson) was also convicted of operating under the influence multiple times.

In December 1992, Ms. McGlincy (Dickson) robbed and murdered Eero Helin, age 72, and Lillian Helin, age 65, in the couple's home in Pembroke. The bodies of Mr. and Mrs. Helin were discovered on December 10, with the murders occurring on or about December 3. Ms. McGlincy (Dickson) had a long history of substance abuse and criminal activity and, on the day of the murders, she was smoking crack cocaine at her father's house (where she lived). In order to buy more drugs, Ms. McGlincy (Dickson) decided to rob an elderly couple whom she knew lived nearby. Armed with a handgun, she knocked on the Helins' door and was allowed in by Mrs. Helin. Displaying the gun, Ms. McGlincy (Dickson) demanded money. Mrs. Helin gathered money from various places in the house and turned it over to Ms. McGlincy (Dickson). Ms. McGlincy (Dickson) then forced Mrs. Helin to lie face down on the floor and fatally shot her three times in the back.

After murdering Mrs. Helin, Ms. McGlincy (Dickson) went upstairs to Mr. Helin's bedroom. Mr. Helin suffered from Parkinson's disease, and had limited mobility and strength. Mr. Helin died from suffocation. Ms. McGlincy (Dickson) has never provided a credible account of how she killed him.

The murders were initially unsolved, and Ms. McGlincy (Dickson) committed another violent crime six weeks later. While hitchhiking, she had been given a ride by Mr. Walther. Ms. McGlincy (Dickson) shot him multiple times and then stole Mr. Walther's car. Mr. Walther survived and Ms. McGlincy (Dickson) was apprehended at a roadblock that day. A .22 caliber gun was recovered from Ms. McGlincy (Dickson). Ballistics analysis of the .22 caliber firearm revealed it to be the weapon used to murder Mrs. Helin. When police interviewed Ms. McGlincy (Dickson), she admitted to entering the Helin residence with a gun. However, she said that she had no memory of shooting Mrs. Helin. She said that she remembered seeing Mr. Helin in bed, but had no memory of harming him. Ms. McGlincy (Dickson) was arrested for the murders.

II. PAROLE HEARING ON JANUARY 26, 2016

Ms. McGlincy (Dickson), now 64-years-old, appeared before the Parole Board on January 26, 2016 for a review hearing and was represented by Student Attorney Rudy Breteler. This was Ms. McGlincy's (Dickson) third appearance before the Board. Her initial appearance before the Board in January 2008, and her subsequent appearance for a review hearing in April 2011, both resulted in the denial of parole. In Ms. McGlincy's (Dickson) opening statement, she apologized for her actions and expressed her remorse. During the course of the hearing, Ms. McGlincy (Dickson) spoke about the murders of Mr. and Mrs. Helin. According to Ms. McGlincy (Dickson), the murders of Mr. and Mrs. Helin stemmed from her on-going plan to commit suicide. Ms. McGlincy (Dickson) explained to the Board that she had contemplated suicide for some time prior to the murders of Mr. and Mrs. Helin. Her plan was to commit a murder and then threaten police officers responding to the scene with a gun, forcing the officers to kill her.

On the day of the murder, Ms. McGlincy (Dickson) went to the home of Mr. and Mrs. Helin, armed with a firearm. Ms. McGlincy (Dickson) had stolen the gun from her father. Prior to going to the Helin residence, Ms. McGlincy (Dickson) had smoked crack cocaine throughout the day. Ms. McGlincy (Dickson) reported to the Board that it was not unusual for her to drink alcohol, ingest pills, and smoke marijuana on a daily basis. After entering the Helin residence, Ms. McGlincy (Dickson) told Mrs. Helin that she was being forced to rob her and her husband by a man outside the home. Ms. McGlincy (Dickson) admitted to the Board that this was a fabrication. When Mrs. Helin provided Ms. McGlincy (Dickson) with only a small amount of money, Ms. McGlincy (Dickson) told her that the man outside her home would come into the house and harm her unless she could provide more money. Mrs. Helin went upstairs and removed a large amount of cash from a bureau drawer. Ms. McGlincy (Dickson) followed her and took the money from Mrs. Helin. After making their way back downstairs, Ms. McGlincy (Dickson) ordered Ms. Helin to lie down on the floor. Ms. Helin looked back at Ms. McGlincy (Dickson), who pretended to be retrieving rope from her bag. Ms. McGlincy (Dickson) then shot and killed Mrs. Helin.

Ms. McGlincy (Dickson) told the Board that she did not learn of Mr. Helin's death until approximately one week after the murders. Her memory was that, after killing Mrs. Helin, she went back upstairs to Mr. Helin's bedroom and tossed him a pillow. Ms. McGlincy (Dickson) told the Board that while she has no memory of using a pillow to suffocate Mr. Helin, she has reviewed investigative files associated with Mr. Helin's murder and concluded that this is what she must have done. In addition, Ms. McGlincy (Dickson) spoke about the assault with intent to murder of Mr. Walther. Ms. McGlincy (Dickson) could not recall where she had wounded Mr. Walther, but believed that she had shot him three times. Ms. McGlincy (Dickson) was aware that Mr. Walther has since passed away, but did not know whether or not his death was related to the shooting

When questioned by the Board, Ms. McGlincy (Dickson) described her childhood. When she was a young child, Ms. McGlincy (Dickson) was raised by her father and grandparents. Ms. McGlincy (Dickson) did not meet her mother until she had reached adulthood. Ms. McGlincy (Dickson) described her father as emotionally distant. She said that she had a strained relationship with her grandmother, as her grandmother did not want Ms. McGlincy (Dickson) in her home. At age 14, Ms. McGlincy (Dickson) began to run away from home. Ms. McGlincy (Dickson) ran away repeatedly, until the courts intervened by remanding her to a parochial

school in Springfield. Ms. McGlincy (Dickson) remained at the parochial school for approximately two to three years. Ms. McGlincy (Dickson) explained to the Board that her mental health issues first manifested themselves in her late teens. Prior to the murder of Mr. and Mrs. Helin, Ms. McGlincy (Dickson) was admitted to the Taunton State Hospital for mental health issues approximately nine times.

Since her last appearance before the Board, Ms. McGlincy (Dickson) has pursued mental health counseling both on an individual basis and in group settings. She also attended Alcoholics Anonymous (AA) / Narcotics Anonymous (NA) two times per week. Ms. McGlincy (Dickson) told the Board that drugs had ruined her life. In addition to programming and employment as a cleaning person, Ms. McGlincy (Dickson) told the Board that she has enjoyed the Interpersonal Effectiveness and Active Listening workshops. Ms. McGlincy (Dickson) explained that both programs have addressed her ability to establish meaningful relationships by teaching communication skills. According to Ms. McGlincy (Dickson), her ability to form and maintain friendships and relationships, as well as her issues with substance abuse, have been identified by her counselors and therapists as areas of her life in need of attention.

The Board notes that Ms. McGlincy (Dickson) has received multiple disciplinary reports since her last appearance before the Board. These incidents have stemmed from her intentional decision not to attend some of her mental health counseling sessions. When asked by the Board if this was an area of concern, Ms. McGlincy (Dickson) explained that she only missed approximately one mental health counseling session per year. Ms. McGlincy (Dickson) admitted, however, that all but one of the disciplinary reports was the result of her intentional decision not to attend the mental health counseling sessions. Ms. McGlincy (Dickson) also acknowledged that she last received a disciplinary report for this very reason only two to four weeks prior to her appearance before the Board.

The Board considered testimony from the niece of Mr. and Mrs. Helin, as well as from Plymouth County Assistant District Attorney Shannon Buckingham, both of whom expressed opposition to Ms. McGlincy's (Dickson) parole. The Board notes that the sister of Ms. Helin was unable to attend the hearing due to health reasons. Ms. McGlincy (Dickson) did not present any witnesses in support of her petition for parole.

III. DECISION

The Board is of the opinion that Ms. McGlincy (Dickson) has not demonstrated a level of rehabilitative progress that would make her release compatible with the welfare of society. The Board believes that a longer period of positive institutional adjustment and programming would be beneficial to Ms. McGlincy's (Dickson) rehabilitation.

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 Ms. McGlincy's (Dickson) institutional behavior as well as her 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 Ms. McGlincy's (Dickson) risk of recidivism. After applying this standard to the circumstances of Ms. McGlincy's (Dickson) case, the Board is of the opinion that Ms. McGlincy (Dickson) is not yet rehabilitated and, therefore, does not merit parole at this time.

Ms. McGlincy's (Dickson) next appearance before the Board will take place in five years from the date of this hearing. During the interim, the Board encourages Ms. McGlincy (Dickson) to continue working towards her 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.

5/31/16

Gloriann Moroney, General Counsel

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