



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Daniel Bennett
Secretary

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Paul Treseler
Chairperson

Michael J. Callahan
Executive Director

DECISION

IN THE MATTER OF

LAWRENCE BRUEN

W38545

TYPE OF HEARING: Review Hearing/Resolve Action Pending

DATE OF HEARING: April 14, 2015

DATE OF DECISION: December 10, 2015

PARTICIPATING BOARD MEMBERS: 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, 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 hearing scheduled three years from the date of the hearing.

I. STATEMENT OF THE CASE

On November 5, 1981, Lawrence Bruen (Bruen) was sentenced to life with the possibility of parole after a Middlesex Superior Court jury found him guilty of second degree murder for the stabbing death of James McCarthy (McCarthy). On April 14, 2015, Bruen appeared before the Massachusetts Parole Board for his sixth review hearing, having been denied parole on five prior occasions.

The facts of the governing offense are as follows. On the early morning of December 19, 1979, Lawrence Bruen (Bruen) returned home and got into an argument with his landlord, James McCarthy (McCarthy). A neighbor heard arguing and a loud bang from McCarthy's apartment and called the police after she went to McCarthy's door and heard McCarthy say "Larry, what are you doing this for? I just got up to get a glass of milk, what are you doing this

for?" Malden Police arrived, heard yelling inside McCarthy's apartment, and opened the unlocked door. Upon entering, they saw McCarthy lying on the floor and Bruen standing over him. McCarthy pointed to Bruen and said "he stabbed me", and further told the police that the knife was in the kitchen sink.

While in the police cruiser, Bruen waived his *Miranda* rights and gave a statement to the police. Bruen told the police that he returned home after being fired from his job to find McCarthy raiding the refrigerator of his food. An argument ensued, he began striking McCarthy with his fists, and he then grabbed a kitchen knife and stabbed McCarthy twice. Bruen also reported that he had kicked McCarthy while McCarthy was lying on the floor. A check of the refrigerator revealed only alcohol, and no food. McCarthy died of the stab injuries approximately one month later, on January 21, 1980.

II. PAROLE HEARING ON APRIL 14, 2015

Lawrence Bruen, age 70, appeared for a review hearing before the Massachusetts Parole Board on April 14, 2015. Bruen reported a history of joining the Army within a year after graduating high school, and serving in Vietnam for 14 months with awards of distinction before being honorably discharged. He had difficulty adjusting to civilian life upon his return, and received psychiatric treatment through the Department of Veterans Affairs (VA).

After the Army, Bruen was unable to keep a job for a significant period of time, and had very limited resources. He lived across the street from McCarthy, and had moved in and lived with McCarthy rent free for five months before the governing offense. With respect to the crime, Bruen said he previously had asked McCarthy not to touch his milk after the 10th of each month because he was dependent on his veteran's check. He said he does not remember stabbing McCarthy on December 19th because he "blacked out," but he is sure he did it.

Bruen minimized his documented history of mental illness within prison, suggesting that he feigned mental illness "to break up the bid" by periodically getting transferred to Bridgewater State Hospital. He admitted that he has not engaged in rehabilitative programming, and stated: "I should take some programs...I will have to get into some programs."

III. DECISION

On December 19, 1979, Lawrence Bruen violently attacked and stabbed James McCarthy, resulting in death. He had a history of mental illness prior to this crime, and has a thoroughly documented history of maladjustment in prison, including, multiple assaults on staff and other inmates, 35 disciplinary reports, and two disciplinary segregation placements, which all appear to stem from mental illness. As such, the Parole Board remains concerned about Bruen's limited insight into his mental health issues, his otherwise lack of rehabilitative programming to address his violent and unstable behavior, and his likelihood of reoffending.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that, "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." Applying that appropriately high standard here, it is the unanimous opinion of the Board that Lawrence Bruen does not merit parole at this time. The next review will be in three years, during which time Mr. Bruen is encouraged to continue to engage in mental health treatment, to engage in available rehabilitative programming to the extent that he is able, and to develop a viable reentry plan.

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.


Michael J. Callahan, Executive Director

December 10, 2015
Date