



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

LAWRENCE LICCIARDI
W38027

TYPE OF HEARING: Review Hearing

DATE OF HEARING: May 18, 2023

DATE OF DECISION: July 31, 2023

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On November 23, 1979, Lawrence Licciardi, who was 17 years old, and his co-defendant, participated in the kidnapping, rape, and stabbing death of 15-year-old Kathleen Boardman in Dorchester. On January 29, 1981, following a jury trial in Suffolk Superior Court, Mr. Licciardi was convicted of murder in the first degree, and sentenced to life imprisonment without the possibility of parole. He was also convicted of two counts of rape of child, for which he received two concurrent life sentences, and one count of kidnapping, for which he was sentenced to 9-10 years concurrent. Following the Supreme Judicial Court decision in *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12 (2015), Mr. Licciardi became parole eligible.

Mr. Licciardi appeared before the Board on May 18, 2023 for a review hearing. He was represented by Attorney Richard Goldman. Parole was denied following Mr. Licciardi's initial hearing in 2019. The entire video recording of Mr. Licciardi's May 18, 2023 hearing is fully incorporated by reference into the Board's decision.

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 that the inmate is a suitable candidate for parole.

Parole reserve on/after 6 months in lower security to LTRP or CRJ for at least 90 days, not before District Attorney clearance.¹ Lawrence Licciardi was represented by Richard Goldman. On January 29, 1981, after a jury trial in Suffolk Superior Court, Lawrence Licciardi was found guilty of first-degree murder of 15-year-old Kathleen Boardman. He was also found guilty of two counts of rape of a child under age of 16 for which he received 2 concurrent life sentences, and one count of kidnapping, for which he received a concurrent sentence of 9-10 years. On December 24, 2013, the SJC issued a decision in Diatchenko v. District Attorney for Suffolk District and others. As a result of this decision, Mr. Licciardi became eligible for parole.

This was Mr. Licciardi's second appearance before the Board. He was 17 [years old] at time of the offense. He is now 60 years old. This is the only crime on his BOP [Board of Probation Record]. Mr. Licciardi accepted the Board's recommendations and completed the SOTP, as well as other rehabilitative programs to address his needs. Mr. Licciardi has been incarcerated for over 42 years. Since the last hearing, he increased his investment in programming to address empathy, and counseling to address his history of trauma. Mr. Licciardi completed educational and vocational programs, and he remains in Restorative Justice. He has a significant support system.

[The] Board also considered expert forensic evaluation by Dr. Robert Kinscherff, as well as the re-entry service plan from Jeff Whiteside, LICSW. Speaking in support of parole was his sister. Dr. Kinscherff also provided testimony. [The] Board also considered testimony in opposition to his parole including the victim's family and Assistant District Attorney from the Suffolk District Attorney's Office.

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 the context of an offender convicted of first or second-degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015); See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015).

The factors considered by the Board in Mr. Licciardi's case include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.* The Board also recognizes the petitioner's right to be represented by counsel during his appearance before the Board. *Id.* at 20-24. In forming this opinion, the Board has taken into consideration Mr. Licciardi'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

¹ Two Board Members voted to deny parole, with a 2-year review.

minimize Mr. Licciardi's risk of recidivism. After applying this standard to the circumstances of Mr. Licciardi's case, the Board finds that Mr. Licciardi is rehabilitated and, therefore, merits parole.

Special Conditions: Reserve on/after 6 months in lower security to LTRP or CRJ for at least 90 days, not before District Attorney clearance; Waive work for LTRP, or when program allows; Curfew 10PM-6AM, or at Parole Officer's discretion; Electronic monitoring at Parole Officer's Discretion; 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 with victim's family; Must have substance abuse evaluation and follow recommendations; Must have mental health counseling for adjustment.

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.


Tina M. Hurley, Chair

07/31/2023

Date