

*The Commonwealth of Massachusetts
Executive Office of Public Safety and Security*



PAROLE BOARD

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Kevin Keefe
Executive Director

DECISION

IN THE MATTER OF

LAWRENCE LICCIARDI

W38027

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: May 21, 2019

DATE OF DECISION: February 20, 2020

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, 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, the criminal record, the 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 January 29, 1981, after a jury trial in Suffolk County Superior Court, Lawrence Licciardi was found guilty of first-degree murder in the death of 15-year-old Kathleen Boardman. He was sentenced to life in prison without the possibility of parole. He was also found guilty of two counts of rape of a child under 16 years of age, for which he received two concurrent life sentences, and one count of kidnapping, for which he received a concurrent sentence of 9-10 years.

On November 23, 1979, 17-year-old Lawrence Licciardi met with his co-defendant, Michael Amman, in Dorchester. They came upon Kathleen Boardman, who was with her dog. Both men knew her. The men told Ms. Boardman that they planned to commit a robbery and needed her to serve as a lookout. She agreed. However, when they walked to a secluded location nearby, they tied her dog to a tree and tackled her. Her hands were tied with a rope. Mr. Amman went into a nearby concrete shed and cleared an area on the ground. Mr. Licciardi

took her into the shed and cut the ropes that were binding her hands with a knife. Mr. Amman stood watch outside the shed, while Mr. Licciardi raped her. Mr. Licciardi emerged from the shed and told Mr. Amman that it was his turn. When Mr. Amman entered the shed, Ms. Boardman was hunched in a corner. He raped her as well. At some point, she was punched in the head. At another point, Mr. Licciardi stabbed Ms. Boardman with a knife. Subsequently, the two men fled.

Ms. Boardman's body was discovered almost two weeks later, by a young boy who was playing near the train tracks. She was stabbed 14 times.

II. PAROLE HEARING ON MAY 21, 2019

On December 24, 2013, the Supreme Judicial Court issued a decision in *Diatchenko v. District Attorney for Suffolk District & Others*, 466 Mass. 655 (2013), in which the Court determined that the statutory provisions mandating life without the possibility of parole are invalid as applied to juveniles convicted of first degree murder. Further, the Court decided that *Diatchenko* (and others similarly situated) must be given a parole hearing. Following the *Diatchenko* decision, Mr. Licciardi became eligible for parole.

Lawrence Licciardi, now 56-years-old, appeared before the Parole Board for an initial hearing on May 21, 2019, having postponed his hearing in both 2014 and 2017. He was represented by Attorney Richard Goldman. In his opening statement to the Board, Mr. Licciardi apologized to Ms. Boardman's family, stating that she was taken from her family by a "heartless" crime. Mr. Licciardi acknowledged that nothing he could do would ever make up for the life that was taken. He indicated that the crime has tormented him for 40 years and will continue to haunt him forever. When speaking about his childhood in Boston, Mr. Licciardi said that he was one of 10 children. He explained that his father was an alcoholic, and that the children were beaten with fists. He attended school, but did not do well. As a child, he was told to "shut up, and go away." Mr. Licciardi also spoke of a fire in his childhood home, where he lost siblings and a niece. As a teenager, he stole cars and went joy riding. As well, he had a son. Mr. Licciardi stated that he is no longer the teenager he was when he entered prison.

As to the governing offense, Mr. Licciardi maintains that he was not involved with the rape and murder of Ms. Boardman, but admits that he was present. He also denies being under the influence of drugs or alcohol. Mr. Licciardi said that he was with Ms. Boardman and Mr. Amman, and that they left him with Ms. Boardman's dog. He claims that he waited 20-30 minutes before he went to find them by the railroad tracks. When Mr. Licciardi saw Mr. Amman, with a knife in hand, he (Mr. Amman) told him that he had just killed Ms. Boardman. Mr. Licciardi said that he dropped the dog's leash and ran. He denied seeing Ms. Boardman's body and indicated that he has maintained this version of events from the start, even though his co-defendant has changed his story multiple times.

Mr. Licciardi explained to the Board that he knew Ms. Boardman most of his life, and that he dated her for a period of time. He also admitted that he went on with his life, while the family of Ms. Boardman searched for her. He added, "I have to live with that every day." Mr. Licciardi told the Board that he takes responsibility for not saying something at the time. He claims that he lied to the police, as well as the victim's mother, by telling them that he knew nothing about what happened when, in fact, Mr. Amman had informed him that he killed Ms.

Boardman. Despite the fact that Ms. Boardman was stabbed 14 times, however, Mr. Licciardi denied hearing anyone scream or witnessing any reactions from the dog.

As to his programming efforts, Mr. Licciardi said that he is attending the Sex Offender Treatment Program (SOTP) and is involved in the music program. Board Members questioned Mr. Licciardi as to whether the SOTP is benefitting him, since he denies that he committed a sex offense. Mr. Licciardi responded that the program is very beneficial, as he is a flawed person. He has learned a lot about himself and explained how he has addressed such areas as his lack of concern for others, cooperation with supervision, and dynamics of a family. He indicated that his last disciplinary report was in 2012. When the Board questioned Mr. Licciardi as to his concerns about re-entry into the community, he responded that he would face social challenges.

The Board considered testimony in support of parole from Mr. Licciardi's brother and fiancée. Dr. Robert Kinscherff testified in regard to his "Report of Evaluation for Parole Board Hearing." The Board considered testimony in opposition to parole from Ms. Boardman's sister.

III. DECISION

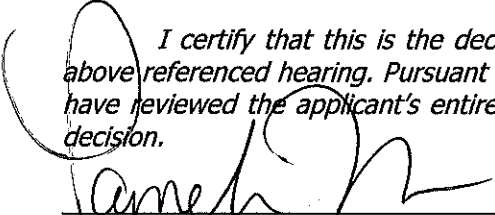
Lawrence Licciardi has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board is of the opinion that he bears more responsibility in the governing offense than he is willing to testify to. Mr. Licciardi should continue to engage in the Sex Offender Treatment Program (SOTP) and the trauma that he has endured.

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 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. The Board has also considered whether risk reduction programs could effectively minimize Mr. Licciardi's risk of recidivism. After applying this standard to the circumstances of Mr. Licciardi's case, the Board is of the opinion that Lawrence Licciardi is not yet rehabilitated, and his release is not compatible with the welfare of society. Mr. Licciardi, therefore, does not merit parole at this time.

Mr. Licciardi'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. Licciardi 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

2/20/2020
Date