



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

LOUIS GOFORTH

W35249

TYPE OF HEARING: Review Hearing

DATE OF HEARING: December 3, 2019

DATE OF DECISION: July 21, 2020

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, 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, 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 three years from the date of the hearing.¹

I. STATEMENT OF THE CASE

On November 24, 1975, in Suffolk Superior Court, Louis Goforth pleaded guilty to the second-degree murder of Gabriel Peters. On that same date, for his involvement in the robbery and murder of Joseph Bardsley, he also received a 10 to 15 year sentence for armed robbery, a 5 to 7 year sentence for accessory after the fact to murder, and a 2.5 to 3 year sentence for larceny from a person. All sentences were ordered to run concurrently with each other.

On July 8, 1974, Louis Goforth (age 21), Donald Cook, and James G. Johnson ("Little Jimmy"), decided to commit holdups to support their drug habits. To this end, they armed themselves with a sawed-off shotgun and a .25 caliber pistol. That afternoon, Joseph Bardsley was with his sister-in-law at a variety store on Blue Hill Avenue in Roxbury, which was a block

¹ Three Board Members voted to reserve parole.

and a half from his home. As they neared the driveway upon return, Little Jimmy, Donald Cook, and Louis Goforth approached them. Little Jimmy pulled out a sawed off shotgun and yelled at Mr. Bardsley to stop. Mr. Bardsley hollered to his wife, who was inside the house, to "let the dogs out." Little Jimmy fired a shot from the shotgun and struck Mr. Bardsley, mortally wounding him. The three men fled.

Later that evening, Gabriel Peters, an ice cream man, and his assistant, Raymond Burston (age 16), were selling ice cream in Roxbury. The three men who killed Mr. Bardsley met a fourth individual, James E. Johnson ("Johnson"), and decided to "hit the [ice cream] truck" for money. Little Jimmy went to the left rear of the truck with the shotgun, while Mr. Cook and Mr. Goforth went to the right rear window. Mr. Johnson reached in and grabbed Mr. Peters by the pants. Mr. Peters resisted and reached for a can of mace. Mr. Goforth then responded by shooting Mr. Peters (once) with his .25 caliber pistol. Mr. Peters fell to the floor of the truck. Little Jimmy ran to the right side of the ice cream truck, (also) fired his shotgun at Mr. Peters, and then pulled him from the truck and into the gutter. The men fled with Mr. Peters' wallet that contained 43 dollars, which they used to buy heroin.

II. PAROLE HEARING ON DECEMBER 3, 2019

Louis Goforth, now 68-years-old, appeared before the Parole Board for a review hearing on December 3, 2019. He was not represented by counsel. After Mr. Goforth's initial hearing in 1989, he was denied parole. He received a positive parole vote in 1990, and was released in 1991, only to be returned to custody for a list of violations, including an arrest for possession of heroin and marijuana. Mr. Goforth was subsequently denied parole in 1993, 1995, 1997, and 1999, before receiving his second positive parole vote in 2003. He violated parole in 2007, when he was arrested for armed robbery and assault with a dangerous weapon. His parole was revoked, when he pleaded guilty to armed robbery and assault with a dangerous weapon.² After his 2014 review hearing, his parole was denied. In his opening statement to the Board, Mr. Goforth apologized to the victim's family for the "senseless" crime he committed and asked for their forgiveness. When the Board questioned Mr. Goforth as to his role in Mr. Peters' murder, he responded, "I was there, I participated," but described his role as the lookout. He denied being the shooter. Regarding Mr. Bardsley's murder, Mr. Goforth indicated that he was not the shooter, as well. He explained that both of these incidents occurred because he needed money for drugs, which included heroin. Mr. Goforth also admitted to using marijuana while in custody.

When Board Members questioned him on his past two periods of parole supervision, Mr. Goforth described his first parole, in 1991, as a "great experience." He acknowledged, however, that he eventually went back to his "same old habits" and was returned to custody. After his re-parole in 2004, Mr. Goforth relapsed in 2006, admitting to both using cocaine (two or three times a week) and to selling drugs (three or four times a week) while on parole. Mr. Goforth explained that he engaged with the same people that he hung out with before he was returned to custody. He also committed armed robbery with a gun, while in the community. Mr. Goforth told the Board that the gun was not loaded, but that he received a 7-10 year sentence for the charge. Board Members noted how Mr. Goforth deceived the Parole Board when he admitted to using another

² On August 20, 2008, in Suffolk Superior Court, Mr. Goforth was sentenced to 7 to 10 years for the armed robbery and received three 4 to 5 year sentences for three counts of assault with a dangerous weapon. These sentences imposed in 2008 were ordered to run from and after the life sentence, and concurrently with each other. A positive parole vote would mean Mr. Goforth would be paroled from his life sentence to these 2008 sentences.

person's urine for his drug tests on parole. The Board also discussed a 2016 disciplinary report, which occurred after Mr. Goforth kicked a toilet during an incident with his cellmate.

When the Board questioned Mr. Goforth as to the programs he completed since his return to custody, he said that he attended Alcoholics Anonymous/Narcotics Anonymous, Restorative Justice, Alternative to Violence, and Correctional Recovery Academy. He is currently employed in the Industries Department in the institution and participates in the Lifer's Group. Mr. Goforth indicated that he thinks before he acts and says he is a changed man today. When Board Members noted that he has been in custody for nearly 40 years, Mr. Goforth denied the notion that he is institutionalized.

The Board considered testimony in support of parole from Mr. Goforth's niece. The Board considered testimony in opposition to parole from Mr. Bardsley's son and granddaughter.

III. DECISION

Mr. Goforth and his co-defendants shot and killed two men within hours of each other in July of 1974. He has been afforded the privilege of parole on two occasions, both resulting in new arrests. He takes limited responsibility for his criminal conduct while on supervision. Release is not compatible with the welfare of society.

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 Mr. Goforth'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 minimize Mr. Goforth's risk of recidivism. After applying this standard to the circumstances of Mr. Goforth's case, the Board is of the opinion that Louis Goforth is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Goforth's next appearance before the Board will take place in three years from the date of this hearing. During the interim, the Board encourages Mr. Goforth 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


Date