



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF
MARK BANISTER
W50622

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: November 4, 2025

DATE OF DECISION: March 16, 2026

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Sarah B. Coughlin, Angelo Gomez Jr., James Kelcourse, Rafael Ortiz¹

VOTE: Parole is denied with a review in 2 years from the date of Hearing.

PROCEDURAL HISTORY: On May 24, 1991, following a jury trial in Berkshire County Superior Court, Mark Banister was convicted of murder in the first-degree for the death of Louise Wright. He was sentenced to life in prison without the possibility of parole. On that same date, Mr. Banister received a 45 to 60 year² concurrent sentence for armed assault in a dwelling, a 15-to-20-year concurrent sentence for unarmed robbery, 3-to-5-year concurrent sentences for two counts of larceny, and a 3-to-5-year concurrent sentence for uttering a false check.

Mr. Banister became parole eligible following the Supreme Judicial Court's decision in Commonwealth v. Mattis, 493 Mass. 216 (2024), where the court held that sentencing individuals who were ages 18 through 20 at the time of the offense (emerging adults) to life without the possibility of parole is unconstitutional. As a result of the SJC's decision regarding his first-degree murder conviction, Mr. Banister was re-sentenced to life with the possibility of parole after 15 years.

¹ Board Member Bonner was not present for the hearing but reviewed the video recording of the hearing and the entirety of the file prior to vote.

² Where this crime occurred prior to July 1, 1994, parole eligibility for this sentence was calculated based on 2/3rds of the minimum term of this sentence.

On November 4, 2025, Mr. Banister appeared before the Board for an initial hearing. He was represented by Attorney Deirdre Thurber. The Board's decision fully incorporates by reference the entire video recording of Mr. Banister's November 4, 2025, hearing.

STATEMENT OF THE CASE: On September 27, 1990, 20-year-old Mark Banister stabbed and strangled to death 75-year-old Louise Wright in her Pittsfield residence. Mr. Banister was familiar with Ms. Wright and knew the location and layout of her home. He knew that she was elderly and lived alone and was aware that she had checks, jewelry, and money in her home. Mr. Banister considered Ms. Wright an "easy target." He broke into Ms. Wright's home and, when confronted, beat her, stabbed her, tied her up, and strangled her to death. When he was arrested, Mr. Banister was in possession of two of Ms. Wright's rings, and he had presented her checks.

Mr. Banister initially gave police a written statement in which he admitted going to Ms. Wright's home; however, he claimed that a friend who was with him committed the murder. In a subsequent written statement, Mr. Banister changed this story and confessed to murdering Ms. Wright and to burglarizing her home. After he had signed his confession, Mr. Banister made a telephone call to his mother and was overheard by a police officer telling her, "I just killed someone, Ma." Mr. Banister's fingerprints matched those taken from an exterior window of Ms. Wright's house. Blood stains on the jeans and shirt worn by Mr. Banister at the time of the murder were consistent with Ms. Wright's blood.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the 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 and/or in written submissions to the Board.

Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). Individuals who were emerging adults at the time of the offense must be afforded a "meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation" and the Board evaluates "the circumstances surrounding the commission of the crime, including the age of the offender, together with all relevant information pertaining to the offender's character and actions during the intervening years since conviction." Id. (citing Diatchenko v. District Attorney for the Suffolk Dist., 466 Mass. 655, 674 (2013) (Diatchenko I); Miller v. Alabama, 567 U.S. 460, 471 (2012); Graham v. Florida, 560 U.S. 48, 75 (2010)). Since brain development in emerging adulthood is ongoing, the Board also considers the following factors when evaluating parole candidates who committed the underlying offenses as an emerging adult: 1) a lack of impulse control in emotionally arousing situations; 2) an increased likelihood to engage in risk taking behaviors in pursuit of reward; 3) increased

susceptibility to peer influence which makes emerging adults more likely to engage in risky behavior; and 4) an emerging adult's greater capacity for change. See Mattis, 493 Mass. at 225-229.

DECISION OF THE BOARD: Mr. Banister is before the Parole Board as a result of the Supreme Judicial Court's Mattis decision. The Board considered the forensic evaluation of Dr. Herzog. While he has a good institutional work history, he has not invested in substantial programming, nor has he addressed the causative factors of his offenses. The Board considered the testimony of a social worker in support of parole. The Board considered testimony from Ms. Wright's family member in opposition to parole. The Board also considered the testimony of Berkshire County ADA Joseph Pieropan in opposition to parole. The Board concludes that Mark Banister has not demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

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.


Angelo Gomez Jr., Chair

March 16, 2026
Date

