



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

MARTIN BOWLER

W42980

TYPE OF HEARING: Review Hearing/Resolve Action Pending

DATE OF HEARING: June 2, 2015

DATE OF DECISION: April 8, 2016

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, 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 by unanimous vote that Martin Bowler is not a suitable candidate for parole. His review will be in one year from the date of the hearing.

I. STATEMENT OF THE CASE

On November 21, 1986, in the Middlesex Superior Court, Martin Bowler was sentenced to life in prison with the possibility of parole for the second degree murder of Richard Farnese.

On October 27, 1985, Watertown Police arrived at an apartment on Charles Street, where they found Richard Farnese on the living room floor with a knife wound in his upper chest area. Witnesses on the scene reported that two men, one of whom was Mr. Bowler, forced their way into the apartment and an altercation ensued. When Mr. Farnese attempted to intervene, Mr. Bowler stabbed Mr. Farnese with a large steak knife. Mr. Bowler then fled from the scene. Mr. Farnese died nine days later as a result of his injuries.

II. PAROLE HEARING ON JUNE 2, 2015

Martin Bowler, now 60-years-old, appeared before the Massachusetts Parole Board for a review hearing. He was previously denied parole in 2010 with a review in two years. Mr. Bowler then postponed his hearing for three years in order to address the mental health and substance abuse issues that attributed to his return to custody as a parole violator.

Martin Bowler was first paroled on September 22, 2004 to East Boston Sober Housing, where he (admittedly) had difficulty adjusting. On November 8, 2004, Bowler was returned to custody for oxycodone use. He was re-paroled with a final warning and the added condition to complete the East Boston Rehab Program and attend mandatory mental health counseling. Mr. Bowler appeared to be complying with these conditions until January 2005, when he was terminated from the program for testing positive for opiates and Suboxone. He was deemed whereabouts unknown, and was later arrested on January 27, 2005. Mr. Bowler informed the Board, however, that he intended to turn himself into authorities after the Super Bowl. He also admitted that during the time he was deemed whereabouts unknown, he consumed alcohol and smoked marijuana on a daily basis.

During the hearing on June 2, 2015, Parole Board Members questioned Mr. Bowler about his insight into the behavior that resulted in his parole violation. Mr. Bowler acknowledged that his adjustment in the community was affected by paranoia, which has generally been triggered by "stress." He advised that when he gets paranoid, he wants to drink and use drugs, resulting in violent behavior. He said that "I tend to fight" and that "I have a short fuse." Mr. Bowler informed the Board that of the 10 year period that he has been back in custody, the last five years in the Residential Treatment Unit at Old Colony Correctional Center has been essential to his rehabilitation, where he receives one-on-one counseling every two weeks. Mr. Bowler also advised that, if paroled, he would seek assistance from the Department of Mental Health for services and potential housing in the community, as he is worried about "going back to drinking and drugging." Mr. Bowler stated that he would submit an application for services to the Department of Mental Health.

There was no testimony in support of Mr. Bowler's parole. Middlesex County Assistant District Attorney Jessica Noble testified in opposition to parole and noted Mr. Bowler's previous failures on parole, his minimization of the murder, and his minimal sobriety.

III. DECISION

The Board is of the opinion that Mr. Bowler has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes that a longer period of positive institutional adjustment and programming would be beneficial to Mr. Bowler's rehabilitation. The Board has set a review date of one year, during which time the Board will review additional information available concerning Mr. Bowler's current mental health status and reentry needs via the Department of Mental Health. In addition, the Board will refer counsel to Mr. Bowler for his next review.

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. Bowler's educational and treatment programs during his period of incarceration. The Board has also considered whether risk reduction programs could effectively minimize Mr. Bowler's risk of recidivism. After applying this standard to the circumstances of Mr. Bowler's case, the Board is of the unanimous opinion that without additional information pertaining to his mental health, he does not meet the legal standard at this time.

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.


Gloriann Moroney, General Counsel


Date