

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760



Tina M. Hurley
Chair

Maura Healey
Governor

Kim Driscoll
Lieutenant Governor

Terrence Reidy
Secretary

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

RECORD OF DECISION

IN THE MATTER OF

MICHAEL FOSTER

W46916

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **January 12, 2023**

DATE OF DECISION: **February 9, 2023**

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

STATEMENT OF THE CASE: On August 14, 1989, in Norfolk Superior Court, Michael Foster pleaded guilty to the second-degree murder of his wife, Anna Foster, and was sentenced to life in prison with the possibility of parole.

Mr. Foster appeared before the Parole Board for a review hearing on January 12, 2023. He was represented by student attorneys from Harvard University Law School. Mr. Foster was denied parole at his initial hearing in 2004 and at his review hearings in 2009, 2014, and 2019. The entire video recording of Mr. Foster's January 12, 2023, hearing is fully incorporated by reference to 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 not a suitable candidate for parole.¹

The Board is of the opinion that Michael Foster has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Foster murdered his 18 year old wife Anna Marie Foster in 1986. Although his adjustment has improved, he has

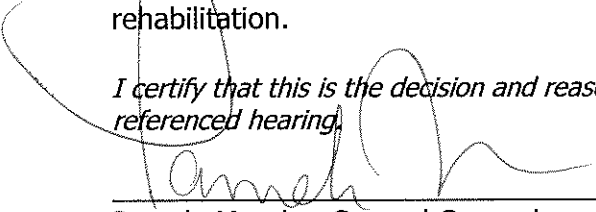
¹ One Board member voted to grant parole.

incurred over one hundred disciplinary infractions. Mr. Foster admitted to tattooing other inmates, namely those affiliated with security threat groups. He fails to appreciate how this contribution to security threat group culture, namely white supremacy, contradicts his rehabilitative efforts. The Board recognizes he obtained his GED and welding license while incarcerated. He has also completed programming to include Criminal Thinking, Violence Reduction, and Correctional Recovery Academy. The Board would like to see Mr. Foster participate in programming to address victim empathy, as he does not appear to have sufficient awareness as to the impact of his crime on the victim's family, including his own daughter. Mr. Foster should develop a strong parole plan with positive supports before his next hearing.

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

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



Pamela Murphy, General Counsel



Date