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Paul M. Treseler
Chairman

Michael J. Callahan
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DECISION

IN THE MATTER OF

MICHAEL JONES
W34743

TYPE OF HEARING: Review Hearing

DATE OF HEARING: November 15, 2016

DATE OF DECISION: December 8, 2016

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, 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 the inmate is a suitable candidate for parole. Parole is granted to an approved home plan with special conditions.

I. STATEMENT OF THE CASE

On November 6, 1974, in Suffolk County Superior Court, Michael Jones pled guilty to unlawfully carrying a firearm, two counts of armed robbery, two counts of kidnapping, and the second degree murder of Richard Eckman. Mr. Jones was sentenced to life in prison with the possibility of parole for the murder of Mr. Eckman. Mr. Jones was also sentenced to additional terms of imprisonment of not more than 20 years and not less than 8 years for his convictions of armed robbery; not more than 10 years and not less than 8 years for his convictions of kidnapping; and not more than 5 years and not less than 4 years for his conviction of unlawfully carrying a firearm. Each sentence was ordered to be served concurrently with each other and with Mr. Jones' life sentence.

In the early morning hours of March 14, 1974, Michael Jones shot and killed Richard Eckman in West Roxbury. Mr. Jones approached Mr. Eckman and his girlfriend, as they sat in their car in Boston. (Mr. Jones was not known to either Mr. Eckman or his girlfriend at the time.) After Mr. Eckman's girlfriend consented, Mr. Jones entered the vehicle and sat in the

backseat. A short time later, Mr. Jones produced a small pistol and pointed it at the head of Mr. Eckman's girlfriend as she drove through Boston towards Centre Street in West Roxbury. During the ride, Mr. Jones robbed Mr. Eckman and his girlfriend of approximately 10 dollars each. Mr. Eckman's girlfriend swerved the vehicle into the other lane, and two shots were fired inside the car. One shot entered Mr. Eckman's body, causing him to slump forward in his seat. The other shot entered and lodged in the driver's side seat, where Mr. Eckman's girlfriend was sitting. Mr. Jones immediately exited the vehicle and fled the scene. Mr. Eckman and his girlfriend were subsequently transported to Faulkner Hospital, where Mr. Eckman was pronounced dead upon arrival. Officers apprehended Mr. Jones a short time later, along with an automatic pistol (loaded with one round of live ammunition) nearby. Following his arrest, Mr. Jones provided a full confession to investigators.

II. PAROLE HEARING ON NOVEMBER 15, 2016

Mr. Jones was granted parole following his initial hearing on February 6, 1989. The Board had noted his extremely positive adjustment and excellent insight. In July 2005, Mr. Jones was returned to custody following his arrest for possession of burglarious tools and attempts to commit a crime. On October 25, 2005, Mr. Jones pled guilty to those offenses in Middlesex Superior Court and was sentenced to 1 to 2 years. In April 2007, the Board voted to re-parole Mr. Jones to a long term program focused on addiction and included a condition that he continue mental health counseling. However, he returned to custody in 2010, after failing multiple drug tests.

Mr. Jones, now 63-years-old, appeared before the Parole Board for a review hearing on November 15, 2016, and was represented by Attorney J. W. Carney. This was Mr. Jones' second appearance before the Board since his return to custody in 2010. In his opening statement to the Board, Mr. Jones expressed his remorse and apologized to Mr. Eckman's family for "callously" taking his life. When asked why he believes that he was not ready for parole in 2011, Mr. Jones stated that he was "feeding on denial" and minimizing some of his behavior, including responsibilities to himself, to parole, and to his family. Mr. Jones apologized for his behavior during his 2011 hearing and now realizes that he should have been more forthcoming. In discussing the murder of Mr. Eckman, the Board asked Mr. Jones when he decided to shoot him. Mr. Jones responded by saying, "I didn't, I panicked." He said that there had been an exchange of words between him and the victim prior to the shooting. Mr. Jones remembers threatening the victim, but he cannot recall exactly what was said. He admitted that he intentionally pulled the trigger twice (shooting towards the roof), after being thrown upside down when the vehicle swerved. Reading the police report was "very sobering" for Mr. Jones, and he described the crime as "very ugly" and "inhuman."

Mr. Jones was asked to address the circumstances of the crime he was convicted of (possession of burglarious tools and attempts to commit a crime) while on parole in 2005. Mr. Jones said that he had been taking prescribed medications, but admitted that he was abusing them. Although his memory of the events is somewhat unclear, Mr. Jones remembers acting "really bizarre" and "uninhibited." At the time of the offense, Mr. Jones said that he was trying to get into a store to use the bathroom. He now admits that he was actually trying to break into the store to get cigarettes and cupcakes. The Board also questioned Mr. Jones about his history of substance use. Asked when he came to realize that he was addicted to marijuana, Mr. Jones replied that he was about 16-years-old. He credited his family and his job with

helping him stay clean for periods of time during his first 13 years on parole. Mr. Jones said that he suffered from anxiety and that smoking marijuana helped calm him down. He now manages his anxiety through meditation, individual counseling, reading, and participation in a book club. Mr. Jones stated that he is adamant about abstaining from all drugs, including prescription pain medication. If granted parole, Mr. Jones said that he would follow the rules and communicate better with his parole officer.

Since his return to custody in 2010, Mr. Jones has been receiving chemotherapy treatment for advanced prostate cancer. He stopped taking the chemo treatments two weeks prior to this hearing, so he could be "clear" and prepared for his appearance before the Board. During his re-incarceration, Mr. Jones also participated in numerous programs, including the Alternatives to Violence Program (AVP), the Correctional Recovery Academy (CRA), and Advanced CRA. He believes that the programs were instrumental in helping him understand his responses to certain situations.

Mr. Jones had many supporters at his hearing and multiple letters of support were submitted on his behalf. The Board considered oral testimony from his daughter and his fiancé, both of whom expressed strong support for parole. The Board also received a letter from Boston Police Commissioner William B. Evans in opposition to parole. Suffolk County Assistant District Attorney Charles Bartoloni submitted a letter stating its belief that Mr. Jones' parole should be denied, but, if granted, then only with strict conditions.

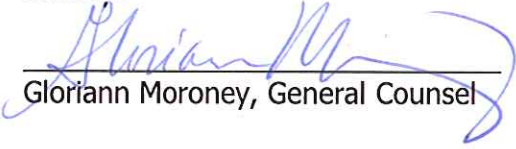
III. DECISION

Mr. Jones has been program compliant and has demonstrated a positive adjustment. Re-incarceration has served its purpose, and Mr. Jones has been forthcoming with the Board. The Board is of the opinion that Mr. Jones has demonstrated rehabilitative progress and, consequently, has acquired the tools and skills that will assist him in a successful transition from incarceration. In forming this opinion, the Board has taken into consideration Mr. Jones' institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment, and whether risk reduction programs could effectively minimize Mr. Jones' risk of recidivism. 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.

After applying this appropriately high standard to the circumstances of Mr. Jones' case, the Board is of the unanimous opinion that Mr. Jones merits parole at this time to an approved home plan with special conditions.

SPECIAL CONDITIONS: Approve home plan before release; Waive work for health; Electronic monitoring at parole officer's discretion; Must take prescribed medication; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Report to assigned MA parole office on day of release; Must have substance abuse evaluation and adhere to plan; Mandatory - must sign release for all medical treatment.

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

12/8/14
Date