



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760



Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Terrence M. Reidy
Secretary

Telephone: (508)-650-4500

Facsimile: (508)-650-4599

Tina M. Hurley
Chair

Daniel Nakamoto
Acting Executive Director

RECORD OF DECISION

IN THE MATTER OF

MICHAEL SIMMONDS
W38014

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **August 3, 2023**

DATE OF DECISION: **November 30, 2023**

PARTICIPATING BOARD MEMBERS: Tina M. Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse

STATEMENT OF THE CASE: On January 23, 1981, in Hampden Superior Court, Michael Simmonds was convicted of burglary with an assault on an occupant. He was sentenced to life in prison with the possibility of parole. On the same day, he was convicted of one count of assault with intent to rape and received a 5 to 7-year concurrent sentence.

On October 21, 1980, shortly after midnight, Mr. Simmonds broke into a convent in Springfield. He entered the room of a nun and jumped on her bed, straddling her. A struggle ensued, which involved the victim screaming while Mr. Simmonds tried to pull down the covers and pull up her nightgown. The victim's nose was broken in the struggle, and they both finally fell to the floor. Another nun responded to the victim's screams, and ran out into the hallway of the residence. The witness saw Mr. Simmonds come out of the victim's room, cross the hall, and go down the stairs.

PAROLE HEARING: Mr. Simmonds appeared before the Board on August 3, 2023 for a review hearing. He was represented by two student attorneys from Northeastern University Law School under the supervision of Attorney Patricia Garin. Mr. Simmonds was granted parole following his initial hearing in 1995, and was returned to custody following a parole violation in 2001. Parole was denied following review hearings in 2003, 2008, and 2018. The entire video recording of Mr. Simmonds' August 3, 2023 hearing is fully incorporated by reference into the Board's decision.

DECISION OF THE BOARD: 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 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 reserve on or after two weeks from the date of the decision to Brooke House or Soldier On Program, but not before District Attorney clearance.

In forming this opinion, the Board has taken into consideration Mr. Simmonds' 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. Simmonds' risk of recidivism. After applying this standard to the circumstances of Mr. Simmonds' case, the Board is of the opinion that Mr. Simmonds is rehabilitated and, therefore, merits parole at this time, subject to special conditions.

Subject is 66 years old. He is a former Marine who received an Honorable Discharge. He has engaged in sex offender treatment during his 22-year incarceration. He has also completed vocational training programs. He has remained disciplinary report free. He has maintained employment at the institutions in the culinary programs and in maintenance. Subject presents with a solid re-entry plan. The victim provided a letter at the hearing offering that subject has served his time and has had the opportunity to reflect and ponder. She wrote that he deserves his freedom.

Special Conditions: District Attorney Clearance Required; Waive work for 2 weeks; Curfew: must be at home between 10PM and 6AM or at Parole Officer's discretion; Electronic monitoring at Parole Officer's discretion; 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; No contact with victim's family; No contact with victim; Must have mental health evaluation and must comply with recommended treatment plan; Must have substance abuse evaluation and must comply with recommended treatment plan; Residential program: Brooke House or Soldier On Program; SexA conditions.

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.


Tina M. Hurley, Chair

11/30/2023

Date