

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

**MICHAEL THOMPSON
(formerly Bernard Bessette)**

W40891

TYPE OF HEARING: Review Hearing

DATE OF HEARING: November 5, 2019

DATE OF DECISION: July 8, 2020

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, Colette Santa

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 not a suitable candidate for parole. Parole is denied with a review scheduled in five years from the date of the hearing.

I. STATEMENT OF THE CASE

On February 12, 1985, in Middlesex Superior Court, Michael Thompson pleaded guilty to three counts of armed robbery for three separate robberies that took place in 1982 and 1983. He was sentenced to three concurrent life terms with the possibility of parole. On that same date, Mr. Thompson received multiple sentences related to these robberies, including two 18 to 20 year sentences for armed assault with intent to murder and three 9 to 10 year sentences for assault and battery with a dangerous weapon, kidnapping, and larceny of a motor vehicle. Mr. Thompson also received three 3 to 5 year sentences for two counts of possession of a dangerous weapon and one count of assault with a dangerous weapon. These sentences were all ordered to run concurrently with each other and with his life sentences. Additional charges were filed, including two counts of assault with intent to rape.

On April 1, 1982, Michael Thompson (age 31) entered Coolidge Bank and Trust in Cambridge in disguise and armed with a firearm. He approached two tellers, pointed the gun, and demanded money. Each teller complied and provided Mr. Thompson with just over four thousand dollars before he fled.

On August 10, 1982, Mr. Thompson approached Sally,¹ while she was locking her car door after returning to her Somerville home. He grabbed her around the waist and, while holding a double-edged knife, threatened to kill her if she did not lower herself to the ground. Mr. Thompson dragged Sally across the street and into a yard alongside a house. After stating that he was going to rape her, he proceeded to lift her shirt and skirt and fondle her. Mr. Thompson told her again that he was going to rape her and asked numerous questions about her sexual activities. Startled by the sound of a nearby car, Mr. Thompson told Sally to get behind the house, but to leave her tote bag with him. He then fled. The bag held her purse, which contained about \$30 and jewelry. Remembering that the jewelry included her grandfather's antique ring, Sally began to run after Mr. Thompson. Turning, Mr. Thompson chased her back behind the house and, again, threatened her life. When Sally screamed for help, a man nearby brought her into his home to call the police.

On March 19, 1983, Mr. Thompson, who was working for a local loan shark, was directed to collect money from Jill.² As Jill was walking on a Cambridge street, Mr. Thompson grabbed her, told her that he had a gun, and that he was going to rape her. Mr. Thompson tried to drag her into a driveway and push her between some parked cars. Frantic to get help, Jill told him that she was willing to have sex with him, if they could go to her nearby home. She falsely assured him that she lived alone. Mr. Thompson drove them to Jill's house, where her husband and other family members were sleeping. When Jill was able to momentarily separate herself from Mr. Thompson, she went to her husband for help. Mr. Thompson ran to the door outside the bedroom, where Jill and her husband were talking, and shot into the room multiple times. A number of those bullets entered the headboard, just behind the head of Jill's husband, while the other bullets went through the walls and ceiling of the bedroom. Mr. Thompson then ran down the hall toward the front door, continuing to fire back in the direction of children who had come downstairs. Mr. Thompson was later arrested in Belmont after a high-speed chase through several towns. During that chase, he was driving a stolen car and had threatened to run down two police officers.

In August 1983, during a trial recess in Essex Superior Court, Mr. Thompson was able to escape custody by following the jury out of the courtroom. He fled, evading capture for three months until his arrest in Watertown in November 1983. Following his arrest, Mr. Thompson was held in the Middlesex House of Correction in Cambridge, awaiting trial on other charges. In May 1984, Mr. Thompson escaped from this institution and remained at large until November 1984, when he was arrested in Melrose. On March 15, 1985, in Middlesex Superior Court, Mr. Thompson pleaded guilty to escape from the Middlesex House of Correction and was sentenced to 9 to 10 years, ordered to run concurrently with his life sentences. On June 11, 1990, in Norfolk Superior Court, Mr. Thompson pleaded guilty to escape for another escape attempt from MCI-Norfolk in March 1990. He received a 1 to 3 year sentence to run from and after his life sentences.

¹ A pseudonym will be used to identify the victim, pursuant to G.L. c. 265 § 24C, because in addition to the armed robbery and kidnapping, there is an accompanying charge of assault with intent to rape. This charge was filed.

² A pseudonym will be used to identify the victim. See FN 2.

II. PAROLE HEARING ON OCTOBER 24, 2019

Michael Thompson, now 69-years-old, appeared before the Parole Board on October 24, 2019, for a review hearing. He was represented by student attorneys from Boston College Law School. Mr. Thompson was denied parole after his 1999 initial hearing, and after his review hearings in 2004, 2009, and 2014. In his opening statement to the Board, Mr. Thompson said that he understands and acknowledges, "now more than ever," the significance of his crimes, as well as the physical and emotional impact they had on others. He stated that his actions, "no matter their motivation," were wrong and inexcusable. He also apologized to his family for not being present in their lives due to his incarceration. Mr. Thompson explained that he was raised in a tumultuous home in Canada, exposing him to family violence. He denied a substance abuse history, but shared that he would recreationally use marijuana, and sometimes cocaine, as a young man. Mr. Thompson agreed with the Board that his lengthy criminal history began with breaking and entering offenses. He explained that he first broke into grocery stores only to steal food for his family, but acknowledged that his crimes escalated to armed robberies and bank robberies, for which he was ultimately convicted. He was sentenced to nine years in a Canadian prison. Mr. Thompson denied committing any crimes in Canada, or the United States, from the time he was paroled on the Canadian prison sentence until the time of the governing offenses.

When Board Members questioned Mr. Thompson as to the details of his life at the time of the governing offenses, he shared that he had moved to Massachusetts and was working odd jobs to support himself and his newborn daughter. Regarding the Coolidge Bank and Trust robbery, Mr. Thompson agreed that the crime was consistent with the types of robberies he had committed in Canada. Board Members explained their struggle to understand the motivation behind the robberies of Sally and Jill, as they appeared to be very different crimes than a bank robbery. Mr. Thompson responded that he was "getting scared" of robbing banks. The Board confronted Mr. Thompson with the fact that both Sally and Jill gave strikingly similar witness statements regarding his attempt to rape them during the attacks. In addition, Board Members expressed their disbelief that Mr. Thompson would agree to travel with Jill to her home simply for money. Mr. Thompson, however, vehemently denied that he sexually assaulted either woman, claiming his only motivation in attacking them was to take their money. He claimed that if he touched them inappropriately, it was incidental to his attempts to take their property. Mr. Thompson told the Board that he did not plead guilty to the sexual offense charges, unlike all the other charges, because he did not attempt to rape either Sally or Jill.

When the Board questioned Mr. Thompson as to his institutional adjustment, he said that he attempted multiple escapes because he "wanted to get away from prison." He also shared that one of the attempted escapes was motivated by a desire to see his daughter. Mr. Thompson explained that he received a disciplinary report for accepting money from another inmate's family, not knowing that it was prohibited. Mr. Thompson said that, since his last hearing, he has engaged in Criminal Thinking, Violence Reduction, Gateway to Treatment, and other programming efforts. Mr. Thompson stated that he would participate in the Sex Offender Treatment Program, if the Board wanted him to, but claimed that institutional staff told him that he cannot take the program. He also shared that, since 2016, he has participated in five or six mental health counseling sessions to address childhood trauma. He believes he has benefited from counseling, as he previously thought that talking about his emotions was a "sign of weakness." He now understands that his criminal activity was a "shortcut," and that he should have focused on finding work to support himself in an honest way. Mr. Thompson stated that he has "too many" victims

and is "truly sorry" for what he did, claiming that he should have known better since he, too, was a victim of violence.

Mr. Thompson told the Board that, if paroled, he would be returned to Canada pursuant to an ICE detainer and to complete the three years remaining on his earlier prison sentence. He also acknowledged that he is a suspect in Canada for the murder of a young man and would have to answer to the open warrant on that case. Although he is not in communication with family members in Canada, Mr. Thompson said that he has regular contact with his daughter in the United States. The Board acknowledged that Mr. Thompson identified the John Howard Society in Canada as an organization that would assist him with reentry into the community.

Middlesex County Assistant District Attorney Yashmeen Desai testified in opposition to parole and submitted a letter, as well.

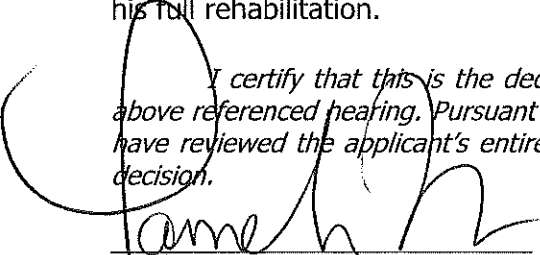
III. DECISION

The Board is of the opinion that Michael Thompson has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Thompson has committed a series of offenses against women. He demonstrates an inability to accept the facts of his convictions. He has yet to engage in sustained treatment and programming during this commitment. In addition, his adjustment has been problematic. Mr. Thompson has an extensive criminal record in the United States and Canada that includes violent offenses, probation and parole violations, and escapes.

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

Mr. Thompson's next appearance before the Board will take place in five 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. 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.


Pamela Murphy, General Counsel

7/8/2020
Date