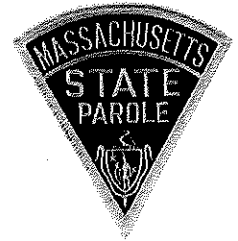


The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF  
NORMAN PORTER**

**W35127**

**TYPE OF HEARING:** Review Hearing  
**DATE OF HEARING:** January 31, 2019  
**DATE OF DECISION:** November 18, 2019

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, Colette Santa, Paul Treseler<sup>1</sup>

**DECISION OF THE BOARD:** After careful consideration of all relevant facts, including the nature of the underlying offense, the criminal record, the 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 in three years from the date of the hearing.<sup>2</sup>

**I. STATEMENT OF THE CASE**

On September 29, 1960, Norman Porter and his accomplice, Theodore Mavor (both armed and masked), participated in an armed robbery of the Robert Hall Clothing store in Saugus. During the commission of the crime, one of the men shot and killed the store clerk, Jackie Pigott, with a sawed-off shotgun. The other man shot and wounded the store manager, Ralph Fabiano, with a handgun. While being detained for this crime at the Middlesex County Jail in East Cambridge, Mr. Porter secured a firearm and conspired with another inmate, Edgar Cook, to escape. During the escape, Mr. Cook took Mr. Porter's firearm and shot and killed the jail master, David Robinson.

On October 31, 1961, while awaiting trial for the murder of Mr. Pigott, Mr. Porter pleaded guilty in Middlesex Superior Court to murdering Jail Master Robinson and was

<sup>1</sup> Board Member Treseler was no longer a member of the Board at the time of vote.

<sup>2</sup> One Board Member voted to deny parole with a review in two years.

sentenced to life in prison. On May 18, 1962, Mr. Porter was convicted of second degree murder in Essex Superior Court for the death of Mr. Pigott. He received a life sentence consecutive to his life sentence for the murder of Jail Master Robinson. At that time, Mr. Porter also received multiple life sentences for armed robbery while masked, which were ordered to run concurrently with the life sentence for the murder of Jail Master Robinson. He received additional concurrent sentences for lesser charges, which have all since expired.

On September 3, 1975, Governor Dukakis commuted the Robinson sentence, and the concurrent life sentences, to a term of 36 years and 6 months to life, making Mr. Porter immediately eligible for parole to his from and after life sentence in the Pigott case. He was paroled to the Pigott sentence on September 22, 1975. While serving the Pigott from and after sentence, Mr. Porter escaped from custody on April 27, 1980. He voluntarily returned to custody on April 29, 1980. Eight months later, on December 21, 1985 (while in custody at the Norfolk Pre-Release Center), Mr. Porter walked away from the facility and never returned. He was placed on escape status and deemed a parole absconder on the Robinson case. A parole violation warrant was issued on January 9, 1986.

Mr. Porter eluded detection and apprehension for nearly 20 years, when Massachusetts authorities arrested him in Chicago, Illinois on March 22, 2005. He was returned to Massachusetts the following day.<sup>3</sup> During his time in Chicago, Mr. Porter assumed the name Jacob A. Jameson ("J.J. Jameson"), established himself as a poet, lectured at a local church, and worked as a handyman. On October 14, 2005, a Norfolk Superior Court judge sentenced Mr. Porter to serve 3 years to 3 years and 1 day for the 20 year escape and ordered the sentence to run from and after the life sentence in the Pigott case.<sup>4</sup> This new sentence was aggregated to the Pigott sentence, as it occurred prior to 1988,<sup>5</sup> and Mr. Porter became eligible for parole in November 2009.<sup>6</sup>

## **II. PAROLE HEARING ON JANUARY 31, 2019**

Norman Porter, now 79-years-old, appeared before the Parole Board on January 31, 2019 for a review hearing. He was represented by Attorney Thomas Herman. Mr. Porter had been denied parole after his initial hearing in 2009, and after his review hearing in 2015. In his opening statement to the Board, Mr. Porter expressed his "deep sorrow" for the crimes he committed. Mr. Porter said that he feels as culpable as his co-defendants for both murders. He "seriously regret[s]" handing the gun to Mr. Cook, who then shot and killed Mr. Robinson. Mr. Porter did not admit during the hearing, however, that he shot Mr. Piggott. The Board expressed its concern that Mr. Porter minimized his involvement in both murders, a characterization of which Mr. Porter disagreed. Although Mr. Porter acknowledged his distorted thinking as a young man, he told the Board that he was "unsure" as to why he chose a life of criminal activity.

<sup>3</sup> Mr. Porter had a Final Revocation Hearing for parole violations on the Robinson case and, on October 30, 2007, the Full Board voted unanimously to affirm the revocation and allow the warrant to stand.

<sup>4</sup> The escape sentence is a crime committed while on parole and, since it occurred prior to July 1, 1994, carries a 2/3 of the minimum sentence parole eligibility, which in this case is 2 years.

<sup>5</sup> Parole Board regulations dictate that a sentence received for a crime committed on or after January 1, 1988, shall not be aggregated with a life sentence for the purposes of calculating parole eligibility on the consecutive sentence. See 120 CMR 200.8 (c).

<sup>6</sup> A positive parole vote would send Mr. Porter to the parole warrant on the Robinson case and then to the escape sentence, which could be further reduced by good time credits.

Board Members noted that Mr. Porter's early institutional adjustment was so impressive, that he was granted a commutation on the grounds he was "substantially rehabilitated." In addition to working, tutoring inmates, and achieving his master's degree in education, the Board acknowledged that Mr. Porter had gained the trust and respect of prison staff, who had granted him over 100 furloughs (despite a brief first escape). Mr. Porter referred to his second escape, during which time he fled to Chicago for two decades before he was discovered, as a "dumb, stupid mistake." Board Members explained that they struggled to reconcile Mr. Porter's reported feelings of guilt about the escape with the reality that he lived under an assumed identity, maintained a serious romantic relationship, rose to prominence as a poet, and ingratiated himself in a faith-based community. He returned to Massachusetts only when he was arrested. Despite those circumstances, Mr. Porter denied living a life of "total deceit."

Board Members asked Mr. Porter to detail the steps he has taken toward rehabilitation since his last hearing. Instead of programming, Mr. Porter explained that he participated in a writing club and book club. He continues to tutor other inmates, telling the Board that tutoring gives him insight into victim empathy. He also claimed that writing poetry is "the most difficult thing [he has] ever done." Although Mr. Porter recognized that the Board wanted him to address his history of alcohol abuse, he claims that he has not attended Alcoholics Anonymous meetings because they are not available at his prison. To address his substance abuse history, Mr. Porter engages in mental health counseling approximately once each month. However, when confronted by the Board with documentation from his counselor that he denied having a history of alcohol abuse, Mr. Porter clarified that although he does not have a history of "documented" substance abuse, he agrees that he still needs help with alcohol abuse.

Former DOC Deputy Commissioner David Haley, as well as a friend of Mr. Porter's and a minister, each testified in support of parole. Mr. Pigott's brother and fiancée testified in opposition to parole, as did Mr. Robinson's grandson and great-nephew. Essex County Assistant District Attorney Elin Graydon testified and submitted a letter of opposition, as well. The Board also considered additional written submissions in support of, and in opposition to, parole.

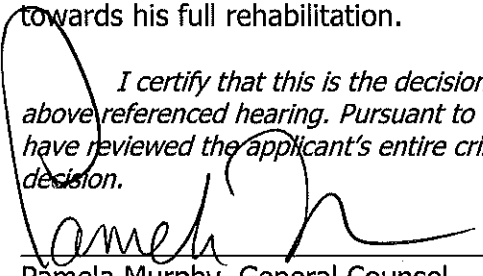
### **III. DECISION**

It is the opinion of the Board that Norman Porter has yet to demonstrate a level of rehabilitation that is compatible with the welfare of society. Mr. Porter has been back in custody for 14 years and has yet to engage in treatment/programming.

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

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

  
\_\_\_\_\_  
Date