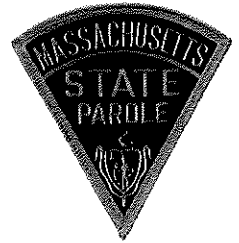


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

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

Lian Hogan
Executive Director

RECORD OF DECISION

IN THE MATTER OF

OSCAR HOFFMAN
W47389

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **February 28, 2024**

DATE OF DECISION: **May 13, 2024**

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse

VOTE: Parole is granted on/after 2 weeks from issuance of Decision to a residential program that will address his substance use disorder and mental health needs, but not before District Attorney clearance¹

PROCEDURAL HISTORY: On November 13, 1989, in Middlesex Superior Court, Oscar Hoffman pleaded guilty to second-degree murder in the death Linda Rossi Montgrain and was sentenced to life in prison with the possibility of parole.² Parole was denied following an initial hearing in 2002, and after review hearings in 2007, 2012, and 2020. Mr. Hoffman postponed his 2017 review hearing. On February 28, 2024, Mr. Hoffman appeared before the Board for a review hearing. He was represented by Attorney Deirdre Thurber. The Board's decision fully incorporates, by reference, the entire video recording of Oscar Hoffman's February 28, 2024 hearing.

STATEMENT OF THE CASE: On November 13, 1987, at approximately 3:00 a.m., Oscar Hoffman (age 20) and his co-defendant, Norman Bettencourt (age 20),³ climbed through Linda Rossi Montgrain's bedroom window. The two men had been drinking throughout the day. Mr. Hoffman had a prior dating relationship with Ms. Rossi Montgrain (age 29); however, she had

¹ Two Board Members voted to grant parole without District Attorney clearance.

² On the same date, the Middlesex District Attorney's Office filed a nolle prosequi on a charge of aggravated rape.

³ Mr. Bettencourt pleaded guilty to second-degree murder on November 12, 1989.

recently been granted a protective order against Mr. Hoffman. While in her home, an argument ensued between Mr. Hoffman and Ms. Rossi Montgrain, and he began beating her. Ms. Rossi Montgrain protested when Mr. Hoffman took money from her purse, and he responded by gagging her with a sock. Mr. Hoffman and Mr. Bettencourt used their shirts to tie up Ms. Rossi Montgrain's arms and legs. When she started to scream, they used a towel to strangle her and then suffocated her with a pillow. Ms. Rossi Montgrain's two young sons were sleeping in the next room during the murder of their mother.

Following the murder, the men took Ms. Rossi Montgrain's money and went to Mr. Hoffman's house. Mr. Hoffman instructed Mr. Bettencourt to throw the shirts in the river, but Mr. Bettencourt threw them in Mr. Hoffman's backyard instead. Later that day, Mr. Bettencourt was questioned by police and implicated Mr. Hoffman in the murder. Mr. Hoffman was subsequently questioned and gave numerous statements to police that implicated Mr. Bettencourt as the aggressor. Both men were charged with murder.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an incarcerated individual's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the incarcerated individual's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).


DECISION OF THE BOARD: This was Mr. Hoffman's fifth appearance before the Board. He has served 36 years for this offense. Mr. Hoffman has struggled with symptoms of his major mental illness and has struggled with gaining long-term stability. He has a history of requiring acute psychiatric hospitalizations; however, he has remained in general population for the last 10 years. Since the last hearing, he has been highly motivated in program engagement, which has assisted him with mental health stability, emotional well-being, and recovery. He is engaged in the Needs program and has had no disciplinary reports since 2015. The Board considered the psychological evaluation from Dr. DiCataldo and testimony from Heather Hovley, who is the Forensic Transitions Team supervisor from the Department of Mental Health. Ms. Hovley has known him since 2007 and will work with the Department of Correction to assist in securing him with appropriate re-entry placement and services. The Board considered support testimony from two of Mr. Hoffman's family members and opposition from two of the victim's family members and Assistant District Attorney Alicia Walsh.

SPECIAL CONDITIONS: Waive work for long-term residential program and at Parole Officer's discretion; Curfew 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; Must have substance abuse evaluation and must comply with recommended treatment plan; Counseling for transition and for major mental illness; Long-Term Residential Program for substance abuse and mental health needs.

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


Date