



The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF  
REGINALD BUTLER  
W70534

**TYPE OF HEARING:** Initial Hearing  
**DATE OF HEARING:** November 22, 2016  
**DATE OF DECISION:** June 20, 2017

**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 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 1, 2002, in Plymouth County Superior Court, a jury convicted Reginald Butler of aggravated rape.<sup>1</sup> On February 8, 2002, after a jury-waived trial, Mr. Butler was convicted of being a habitual offender and sentenced to life in prison with the possibility of parole. In 2003, Mr. Butler was also convicted of rape in Suffolk County. He was sentenced to 9 to 15 years in prison to be served from and after the Plymouth County sentence that he is currently serving.

On February 8, 1999, a 16-year-old girl awoke to find 34-year-old Reginald Butler sitting on her bed with a windbreaker hood pulled down to conceal his face. Over a 20 minute period, Mr. Butler raped the victim, held a sharp silver object (a knife or a pair of scissors) to her neck, and punched her repeatedly in the ribs. He told her to lie face down, so that she would not see

<sup>1</sup> On May 28, 1999, Mr. Butler was indicted for the charges of aggravated rape, armed home invasion, breaking and entering in the daytime, assault and battery by means of a dangerous weapon, and being a habitual offender. Mr. Butler was acquitted of the home invasion, breaking and entering in the daytime, and assault and battery with a dangerous weapon charges.

him, and then left. The victim immediately called a friend to report what had happened and, later, went to the hospital.

Initially, the victim did not tell anyone who raped her, fearing retribution against her and her family. About five weeks after the rape, the victim disclosed that she had recognized her assailant as the cousin of her neighbor. Shortly thereafter, the victim identified Mr. Butler in a photo array.

## **II. PAROLE HEARING ON NOVEMBER 22, 2016**

Reginald Butler, now 53-years-old, appeared before the Parole Board for his initial parole hearing on November 22, 2016. Mr. Butler was not represented by counsel. In his opening statement to the Board, Mr. Butler apologized to the victim and asked for her forgiveness. He also stated, "I know and understand that what I did to you was dead wrong and there is no excuses on my behalf... I want you to know that it was all my fault and you did nothing wrong..." He also apologized to the victim's family, as well as anyone else that he may have hurt.

When asked if he disputes any facts of the present crime, Mr. Butler said, "No, absolutely not." Mr. Butler acknowledged that he broke into the victim's house, raped her, and put a sharp object to her neck. Mr. Butler also admitted to raping the other victim in his case out of Suffolk County. Mr. Butler indicated, however, that he did not admit to raping either victim until five or six years into his incarceration (on the first rape for which he was convicted). When asked why it took him so long to admit to raping at least two women, Mr. Butler said that he had been in denial and did not want to admit to this "shameful act." A Board Member also asked Mr. Butler if he had committed any other rapes for which he was not charged. Mr. Butler responded, "Yes, there was." Mr. Butler said that he committed one additional rape which, he believes, took place in Dorchester around 1985 or 1986. When he was asked his thoughts on the possibility of being deemed a serial rapist, Mr. Butler replied, "I mean it would be justifiable."

Mr. Butler indicated that he merits a positive parole vote at this time. When the Board asked him to explain, he said, "Well, not only have I taken responsibility for my actions; I've been doing a lot of... self-analysis on myself and a lot of what I've done is usually when I'm doing drugs. I find myself totally out of control when I'm doing drugs." Mr. Butler told the Board, however, that he has not used drugs in over 17 years. After discussing his efforts to get into the Sex Offender Treatment Program (SOTP), as well as his pending status on the wait list for a bed at Bridgewater Treatment Center, a Board Member again asked Mr. Butler whether he believes that he merits a positive parole vote to his from and after sentence. This time, Mr. Butler stated, "No... Not if um [*sic*]... I need to address those issues, no." During his incarceration, Mr. Butler has engaged in some programming, including Alternatives to Violence Program (AVP), AVP Advanced, and a computer class. At the time of this hearing, Mr. Butler is participating in the Correctional Recovery Academy (CRA) and has begun sex offender treatment.

Mr. Butler had a couple of supporters present at the hearing. The victim (of the underlying offense) and the victim's mother spoke in opposition to Mr. Butler being granted parole. Plymouth County District Attorney Timothy Cruz submitted a letter in opposition to Mr.



Butler being granted parole. Plymouth County Assistant District Attorney Stacey Gauthier spoke in opposition to parole.

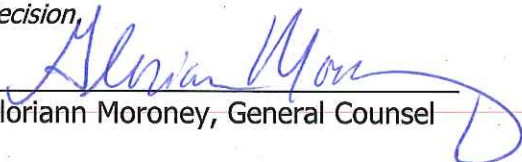
### **III. DECISION**

The Board is of the opinion that Reginald Butler has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Butler has a very concerning criminal history, including multiple rapes, and has just recently entered into the Sex Offender Treatment Program.

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

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

  
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Gloriann Moroney, General Counsel

6/20/17  
Date