

*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*



**PAROLE BOARD**

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*Chair*

**Kevin Keefe**  
*Executive Director*

**DECISION**

**IN THE MATTER OF**  
**REGINALD BUTLER**  
**W70534**

**TYPE OF HEARING:** Review Hearing  
**DATE OF HEARING:** November 18, 2021  
**DATE OF DECISION:** August 11, 2022

**PARTICIPATING BOARD MEMBERS:** Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, 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 that the inmate is not a suitable candidate for parole.<sup>1</sup> Parole is denied with a review scheduled in three years from the date of the hearing.<sup>2</sup>

**I. STATEMENT OF THE CASE**

On February 1, 2002, after a jury trial in Plymouth County Superior Court, Reginald Butler was convicted of aggravated rape.<sup>3</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 life sentence.<sup>4</sup>

<sup>1</sup> One Board Member voted to grant parole to a Long-Term Residential Program.  
<sup>2</sup> One Board Member voted to deny parole with a review in one year from the date of the hearing.  
<sup>3</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 home invasion, breaking and entering in the daytime, and assault and battery with a dangerous weapon.  
<sup>4</sup> Pursuant to Dinkins & another v. Massachusetts Parole Board, 486 Mass. 605 (2021), the parole ineligibility terms on both sentences were aggregated, resulting in a new parole eligibility date of November 23, 2020.

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 him. After he left, the victim immediately called a friend to report what happened. She 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 Reginald Butler in a photo array.

## **II. PAROLE HEARING ON NOVEMBER 18, 2021<sup>5</sup>**

Reginald Butler, now 53-years-old, appeared before the Parole Board for his review hearing on November 18, 2021. He was represented by student attorneys from Northeastern University School of Law. Mr. Butler had been denied parole after his initial hearing in 2016. In his opening statement, Mr. Butler apologized to his victims for the crimes he committed. He reported significant trauma as a child, most notably, sexual abuse that began when he was 9 years old. He turned "to any environment that allowed him to feel acknowledged," which exposed him to violence, drugs, prostitution, and sex at a very young age. Mr. Butler claimed that his "dysfunctional understanding of sex" contributed to his criminal behavior. Nonetheless, Board Members expressed their concern that Mr. Butler has victimized a multitude of women to include the victims of the governing offenses.

The Board expressed concern that despite a history of significant childhood trauma, Mr. Butler has failed to complete programming or engage in therapy to address the connection of these events to his offending. He acknowledged the association between the sexual abuse he experienced at a young age and his repeated taking advantage of incapacitated or defenseless women but stated that he does not want to talk about his trauma in counseling, as "it made [him] question [his] sexuality." One of the risk factors identified by the Board was Mr. Butler's lack of concern for others. He reported that this lack of empathy stems from his early childhood when he learned to shut down his emotions. He stated that he "felt that if [he] didn't feel bad, [he] didn't care how anyone else felt." His ability to empathize is something his therapist has challenged him to work on. Although Board Members noted his extensive history of substance abuse, they recognized that Mr. Butler has been sober since 2002. While incarcerated, Mr. Butler has engaged in programming to include AA/NA, Sex Offenders Anonymous, and CRA. He also completed Sex Offender Treatment Program (SOTP) in 2019. He reported that he seeks out counseling, as needed, although he is not an open mental health case.

The Board considered testimony in support of parole from Mr. Butler's friends. The victim of the 1999 sexual assault, and her mother, testified in opposition to parole. The Plymouth County District Attorney's Office testified and submitted a letter 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. On September 13, 1991, Mr. Butler sexually assaulted a 33-year-old woman in her apartment in

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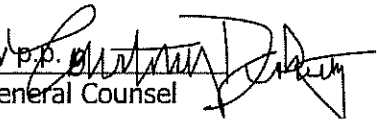
<sup>5</sup> The entire video recording of Mr. Butler's November 18, 2021 hearing is fully incorporated by reference to the Board's decision.

Chelsea. On February 8, 1999, Mr. Butler sexually assaulted a 16-year-old girl in her bedroom in Scituate. While serving this sentence, Mr. Butler was convicted of the 1991 rape. Since his last hearing, he finally completed the SOTP in 2019, and has remained active in the maintenance portion of the program. During his hearing, Mr. Butler admitted to providing drugs to women and having sexual intercourse with them. The Board is concerned that he used sex as a coping mechanism for childhood trauma, and he indicated that he has a difficult time speaking of his prior sexual assaults. The Board encourages Mr. Butler to engage in therapy for his past trauma and Restorative Justice to address these areas of need. It was noted in previous evaluations that Mr. Butler exhibits a lack of concern for others. Although he has made progress in this area, it is recommended, and Mr. Butler has suggested, that he will benefit from Restorative Justice.

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 opinion that Reginald 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 three 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.*

/s/ Pamela Murphy p.p.   
Pamela Murphy, General Counsel

8/11/22

Date