



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



**PAROLE BOARD**

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*Chair*

**Kevin Keefe**  
*Executive Director*

**RECORD OF DECISION**

**IN THE MATTER OF**

**RICHARD BROOKS**  
**W53918**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** April 14, 2022

**DATE OF DECISION:** July 6, 2022

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

**STATEMENT OF THE CASE:** On January 29, 1993, after a jury trial in Suffolk Superior Court, Mr. Brooks was convicted of first-degree murder in the death of 26-year-old Christopher Berry Bailey. He was sentenced to life in prison without the possibility of parole. He was also convicted of two counts of assault to kill and two counts of assault and battery by means of a dangerous weapon. Mr. Brooks was sentenced to concurrent terms of 9 to 10 years for each of these indictments. On that same date, he was also convicted of a firearms violation and was sentenced to a concurrent term of 4 to 5 years in state prison.

On February 10, 1994, in Suffolk Superior Court, Mr. Brooks received a 90-day House of Correction sentence for possession with intent to distribute a class B controlled substance, which was ordered to be served concurrently with the sentences now serving. This conviction stemmed from an incident that pre-dated the murder, on September 13, 1989.

On December 1, 2021, his conviction was reduced from first to second-degree murder and he was resentenced to life in prison with the possibility of parole. Accordingly, he immediately became eligible for parole.

Mr. Brooks appeared before the Parole Board for an initial hearing on April 14, 2022. He was represented by Attorney Elizabeth Doherty. This was Mr. Brooks' first appearance before the Board. The entire video recording of Mr. Brooks' April 14, 2022, hearing is fully incorporated by reference to the Board's decision.

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<sup>1</sup> Chair Moroney was recused.

**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 a unanimous vote that the inmate is a suitable candidate for parole.

Reserve to an approved home plan after 120 days in lower security. On June 3, 1990, 19-year-old Richard Brooks, along with three co-defendants shot and killed 26-year-old Christopher Berry Bailey. He was convicted of first-degree murder. He was resentenced to second-degree murder and life in prison with the possibility of parole on December 1, 2021. Mr. Brooks began the rehabilitation process prior to becoming eligible for parole. He completed programs to include the barber program, culinary arts, and Criminal Thinking. He has been engaged in Project Wake Up for over a decade. He has addressed his need areas to include violence and criminal thinking. He is enrolled in the Emerson College Prison Initiative. The Board notes he has strong family support. He will benefit from a gradual transition into the community and counseling and adjustment.

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."

In forming this opinion, the Board has taken into consideration Mr. Brooks' 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. Brooks' risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Brooks' case, the Board is of the opinion that Mr. Brooks is rehabilitated and merits parole at this time.

**Special Conditions:** Reserve to an approved home plan; Waive work for two weeks; Curfew must be at home between 10 p.m. and 6 a.m.; ELMO-electronic monitoring; 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 or association with co-defendants; No contact with victim's family; Must have substance abuse evaluation – adhere to plan; Must have mental health counseling for adjustment/transition.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.*

  
Pamela Murphy, General Counsel

  
Date