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PAROLE BOARD

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Paul M. Treseler
Chairman

Michael J. Callahan
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DECISION

IN THE MATTER OF

STEVEN HARRIS
W63434

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 26, 2016

DATE OF DECISION: April 18, 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 a suitable candidate for parole. Parole is granted with special conditions and contingent upon the inmate's successful completion of 18 months in lower security.¹

I. STATEMENT OF THE CASE

On October 17, 1997, in Hampden County Superior Court, Steven Harris pled guilty to the second degree murder of his step-brother Robert Holt. Mr. Harris was sentenced to life in prison with the possibility of parole. Mr. Holt was 25-years-old at the time of his death.

On March 30, 1995, Mr. Harris went to his mother's home to feed his cat. Mr. Holt arrived shortly thereafter, and they began arguing over money. A struggle ensued that quickly became violent. Mr. Harris beat Mr. Holt with a length of metal pipe until he stopped moving. When Mr. Harris checked on the body, he started to panic. He called his father and asked him to come to the house. They tied up the body, put it in his father's truck, and drove to a wooded area in Connecticut, where they threw the body and pipe into a river. Two days later,

¹ Four Members of the Parole Board voted to grant Mr. Harris parole with special conditions and contingent upon his successful completion of 18 months in lower security. Two Board Members voted to deny parole with a review scheduled in three years from the date of the hearing.

Mr. Harris told his boss what he had done. His boss eventually called police. The police questioned Mr. Harris on two occasions, but Mr. Harris denied the crime both times. A few days later, the body was found, and the police questioned Mr. Harris again. Mr. Harris admitted to beating Mr. Holt with a pipe and dumping the body in the river.

II. PAROLE HEARING ON JULY 26, 2016

Steven Harris appeared before the Parole Board on July 26, 2016, for a review hearing and was represented by Attorney Ronald Renta. Mr. Harris was first released on parole in June 2010, following his initial parole hearing in March 2010. His parole was revoked in August 2011 for violations, including dishonesty and late rent payments. Mr. Harris received a positive parole vote after his review hearing in February 2012, and was released from custody in April 2013. In April 2014, however, Mr. Harris' parole was revoked due to violations that included failure to notify his parole officer of out-of-state travel, contact with law enforcement, curfew violations, and being discharged from his sober house. Mr. Harris received a positive parole vote after his hearing in September 2014, and was released from custody in early December 2015. He was returned to custody later that month, after absconding from a residential treatment program. His parole was revoked in March 2016, and he has since remained in custody.

In Mr. Harris' opening statement, he addressed his prior history on parole. According to Mr. Harris, his first parole violation was the result of a misunderstanding regarding his willingness to take a breathalyzer test. Mr. Harris told the Board that it was not his intention to refuse the breathalyzer test, but rather, he had just returned from work and had accidentally fallen asleep. Regarding his second parole violation, Mr. Harris said that he left the treatment center in order to avoid a confrontation with an aggressive staff member. Mr. Harris recognized that he should have contacted his parole officer, describing his actions as selfish and thoughtless. Mr. Harris also explained that the most challenging aspect of parole had been finding a suitable and permanent place to live. He had been required to move frequently from one living space to another (due to the completion of a program or the inability to pay rent), making reentry much more difficult.

The Board asked Mr. Harris how he would address his prior obstacles on parole, if he were to be released again. In describing his parole plan to the Board, Mr. Harris requested a step down program to a pre-release facility, where he would be permitted to obtain employment. Mr. Harris discussed the difficulties of affording rent, while also paying supervision fees and other expenses on time. Mr. Harris stated that he hopes to overcome these obstacles by obtaining employment and saving his earnings, while residing at a pre-release facility. He expects to find work as a laborer, cook, or welder and expressed his intention to join a union. Mr. Harris also plans to continue therapy to address his emotional needs, as he found this experience helpful during his last period of parole supervision. Mr. Harris agreed with the Board that it would be prudent to pursue therapy during his time in custody, as well.

The Board considered testimony from Mr. Harris' aunt, who expressed support for his parole. The Board also considered testimony from Hampden County Assistant District Attorney Howard Safford, who focused on Mr. Harris' poor parole history and the likelihood of recidivism, if he were released.

III. DECISION

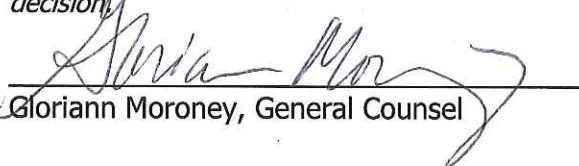
The Board is of the opinion that Steven Harris has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. In reaching this decision, the Board notes Mr. Harris will benefit from a long period in minimum security to provide him with an opportunity to lay a solid foundation that ensures successful reintegration. The Board has also determined that Mr. Harris will need a mental health evaluation upon release and must follow all recommendations.

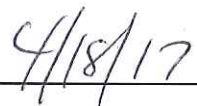
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the 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. Harris'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 whether risk reduction programs could effectively minimize Mr. Harris' risk of recidivism. After applying this standard to the circumstances of Mr. Harris' case, the Board is of the opinion that Mr. Harris merits parole at this time.

The Board grants parole to Mr. Harris with special conditions and contingent upon his successful completion of 18 months in lower security.

SPECIAL CONDITIONS: Approve home plan before release; Waive work for two weeks; Must be at home between 10:00 pm and 6:00 am; GPS monitoring; Supervise for drugs and alcohol, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact or association with father. Must have mental health evaluation and adhere to plan; Must have substance abuse evaluation and adhere to plan; Mandatory - must make himself available/cooperate with any investigations associated with the governing offense.

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.


Gloriann Moroney, General Counsel


Date