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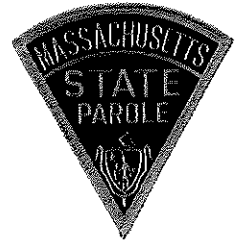
The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone: (508)-650-4500

Facsimile: (508)-650-4599



Tina M. Hurley
Chair

Lian Hogan
Executive Director

RECORD OF DECISION

IN THE MATTER OF

STEVEN RATHBURN
W55966

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **June 20, 2024**

DATE OF DECISION: **October 22, 2024**

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

VOTE: Parole is granted to Mr. Rathburn's Oklahoma sentences.

PROCEDURAL HISTORY: On February 23, 1994, in Worcester Superior Court, Steven Rathburn pleaded guilty to murder in the second degree for the death of Robert Murray. He was sentenced to life in prison with the possibility of parole. Parole was denied following an initial hearing in 2019.¹ On June 20, 2024, Steven Rathburn appeared remotely before the Board for a review hearing.² In addition to Mr. Rathburn's testimony presented at that hearing, the Board considered additional materials, including, but not limited to: materials related to the facts of the underlying criminal case, materials related to the two consecutive life sentences Mr. Rathburn is currently serving in Oklahoma; and the testimony of Worcester Assistant District Attorney Danielle Borges, who spoke in opposition to parole for Mr. Rathburn.

STATEMENT OF THE CASE: On September 4, 1992, Steven Rathburn, Richard Johnson, and Robert Murray left Vermont together to go to Mr. Murray's land in Charlton, Massachusetts. The three men spent one night at the property. The next day, Mr. Murray took Mr. Rathburn and Mr. Johnson to his friend's gun shop and, on the way back, Mr. Murray and Mr. Rathburn argued. Once back on his property, Mr. Murray took Mr. Rathburn to show him an area where they could place a trailer. Mr. Rathburn then shot Mr. Murray three times. After the murder, Mr. Rathburn and Mr. Johnson took Mr. Murray's truck and, eventually, went to New York City.

¹ Mr. Rathburn postponed or waived his hearing in 2009 and 2014.

² Mr. Rathburn is currently incarcerated in Oklahoma.

On November 21, 1992, Mr. Murray's body was discovered by hunters in the woods. During the course of the investigation, Mr. Rathburn was identified as a suspect in the murder.


At some point, Mr. Rathburn then went to Florida, where he and William McMillan robbed a car salesman during a test drive of a vehicle. Mr. Rathburn received two 25-year sentences and two 5-year sentences for convictions arising out of this incident. Mr. Rathburn then fled to Oklahoma, and, on January 25, 1993, he was arrested for the armed robbery of two convenience stores. Mr. Rathburn received two consecutive life sentences for the robberies. On January 26, 1993, a Worcester police officer and a Massachusetts state trooper traveled to Oklahoma to interview Mr. Rathburn, who confessed to murdering Mr. Murray. Mr. Rathburn is currently serving two consecutive life sentences in a correctional facility in Oklahoma. If Oklahoma were to parole Mr. Rathburn on his first life sentence there, he would then be required to serve no less than 15 years before being eligible for parole on the second life sentence.

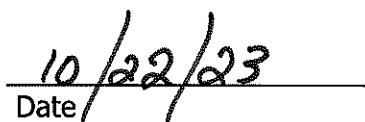
APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain 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 inmate'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 inmate'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 inmate at the time of the offense, the criminal record, the institutional record, the inmate'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: Mr. Rathburn appeared before the Board via Webex for a review hearing. He is currently serving his sentence in Oklahoma. He has served 30 years on his Massachusetts sentence. He has obtained his GED. He acknowledged his history of substance use. He reports he has completed Oklahoma's Department of Correction Program Plan and is involved in a 12 Step program. He has been disciplinary report free since 2015. Mr. Rathburn indicated that while he still has significant time to serve on his Oklahoma sentences, a positive parole decision in Massachusetts will allow him to have focus and hope going forward.

SPECIAL CONDITIONS: Supervise for drugs; testing in accordance with Agency policy; Supervise for liquor abstinences; testing in accordance with Agency policy; No contact with victim(s)' family; Mandatory - no serious disciplinary reports.

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