



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

TIMOTHY DUBUC

W87343

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: September 10, 2019

DATE OF DECISION: June 25, 2020

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, 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 by unanimous vote 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 March 17, 2006, in Hampshire Superior Court, Timothy Dubuc pleaded guilty to second-degree murder in the death of 49-year-old Michele Vanleeuwen. He was sentenced to life in prison with the possibility of parole.

On October 14, 2004, at approximately 9:39 p.m., Northampton Police Department received a telephone call from Timothy Dubuc's brother-in-law, who informed them that Timothy Dubuc had just told his wife (Mr. Dubuc's sister) that he killed his girlfriend, Michele Vanleeuwen, by strangulation. His brother-in-law further informed police that Mr. Dubuc made statements suggesting that he intended to kill himself. Police subsequently responded to Ms. Vanleeuwen's apartment, where Mr. Dubuc had been living. When police arrived, they attempted to contact the occupants of the apartment by phone and, each time, someone inside would pick up the

phone and hang up without saying anything. Officers also knocked on the apartment door and no one answered. Finally, Mr. Dubuc let them in and, when police asked if he was injured, Mr. Dubuc responded that he was not. The police asked if anyone else was in the apartment. Mr. DuBuc reportedly said, "She's in the bedroom." When asked if there was anything they could do for her, Mr. Dubuc responded, "No."

Officers then discovered the dead body of Ms. Vanleeuwen in the rear bedroom with apparent injuries to her neck. Mr. DuBuc was arrested at the scene and transported to the Northampton Police Department, where he provided a statement in which he admitted to killing Ms. Vanleeuwen. The investigation revealed that Ms. Vanleeuwen was murdered on October 13, the day before police were notified.

II. PAROLE HEARING ON SEPTEMBER 10, 2019

Timothy Dubuc, now 57-years-old, appeared before the Parole Board on September 10, 2019, for an initial hearing. He was not represented by counsel. In his opening statement to the Board, Mr. Dubuc offered his sincere apologies to the friends and family of Ms. Vanleeuwen for taking her life. He described his crime as "one that runs contrary to everything [he] believe[s] good and true and right in this world." Mr. Dubuc told the Board that he began drinking alcohol at around age 14 or 15, and that his habit "almost immediately" became a problem. The Board noted that Mr. Dubuc's criminal history seems directly related to his drinking problem. Mr. Dubuc stated that his substance abuse was the main reason for the failure of his marriage. When asked to describe his relationship with Ms. Vanleeuwen, Mr. Dubuc said that it began as "good, loving," but that it was "based on their mutual addiction." When they drank, they would argue and, on two occasions, the arguments turned physical. Mr. Dubuc stated that he accidentally struck her during one of these incidents and drew blood. He denied ever choking her, or threatening to harm her, despite conflicting witness statements. Mr. Dubuc admitted to feeling jealous, but stated that Ms. Vanleeuwen shared that trait.

On the day of the murder, Mr. Dubuc said that he and Ms. Vanleeuwen spent a normal morning together, but later engaged in an argument, the reason for which he could not remember. He started drinking liquor and beer in the morning and continued to drink throughout the day. When Ms. Vanleeuwen went to the bedroom to be alone, Mr. Dubuc said that he tried to "coax" her back into the living room. He shared that "the next thing [he] recall[s]" is removing his hands from her neck and it was "plainly clear that she was gone." Mr. Dubuc stated that although he does not dispute police findings that indicated he used a belt in the murder, he cannot recall using anything besides his hands. The Board discussed Mr. Dubuc's propensity for domestic violence and how that contributed to the murder of Ms. Vanleeuwen. Mr. Dubuc agreed that his relationship with Ms. Vanleeuwen was tumultuous, but stated that he had not been abusive in other romantic relationships. Although he does not "discount the two previous incidents" with Ms. Vanleeuwen, Mr. Dubuc does not consider himself a batterer. He told the Board that his alcohol use was a "huge contributor" as to why he killed Ms. Vanleeuwen.

The Board noted that Mr. Dubuc has participated in educational and rehabilitative programming, including the Correctional Recovery Academy. Mr. Dubuc stated that he greatly benefited from Emotional Awareness, which helped him understand how he used alcohol as a coping mechanism to deal with shame and anxiety. He credited the counselors of these programs as being influential in his rehabilitation. The Board noted that Mr. Dubuc has not accrued any

disciplinary reports. When Board Members questioned him as to what he has learned about perpetrators of domestic violence, Mr. Dubuc responded that he believes he engaged in violence because he was projecting personal shame on the people he loved. If paroled, Mr. Dubuc plans to live with family in New York, who can provide him with employment. He shared that the area has a strong AA community. Mr. Dubuc stated that he was most concerned about employment, if released, but acknowledged the need to focus on his sobriety.

Mr. Dubuc's two sisters, nephew, and two friends testified in support of parole. Ms. Vanleeuwen's sister and nephew testified in opposition to parole. Northwestern Assistant District Attorney Joseph Webber testified in opposition to parole and submitted a letter. The Board also considered additional letters of support and opposition.

III. DECISION

The Board is of the opinion that Timothy Dubuc has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Dubuc was on probation when he brutally strangled his girlfriend. He has a history of domestic violence. Although he has engaged in recommended treatment, he appears to lack insight as to his criminal behavior. He should reengage in programming to address his causative factors.

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

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


Pamela Murphy, General Counsel

6/25/2020
Date