

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



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DECISION

IN THE MATTER OF

TYRONE O'NEILL

W42510

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **October 27, 2016**

DATE OF DECISION: **April 11, 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 by unanimous vote that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in four years from the date of the hearing.

I. STATEMENT OF THE CASE

On June 9, 1986, in Middlesex Superior Court, Tyrone O'Neill pled guilty to the second degree murder of 78-year-old Emily Aldrich. Mr. O'Neill was sentenced to life in prison with the possibility of parole for her murder. He also received a concurrent sentence of 15-20 years for armed assault with intent to murder (stemming from a different incident 12 days prior to the murder of Ms. Aldrich). At the time of both offenses, Mr. O'Neill was on parole for a prior larceny of motor vehicle conviction.

At the time of the murder, Mr. O'Neill was dating Ms. Aldrich's daughter Susan, whom he had met several months earlier. Although Mr. O'Neill was sleeping at the Aldrich home, Ms. Aldrich was unaware of the arrangement, as she did not approve of the relationship between Mr. O'Neill and her daughter. In the early hours of September 14, 1985, Mr. O'Neill entered Ms. Aldrich's home through a downstairs window, obtained a knife from the kitchen, and repeatedly

stabbed Ms. Aldrich as she lay in her bed. Mr. O'Neill then removed a ring from Ms. Aldrich's finger and went back downstairs to replace the knife in a kitchen drawer. At around 10:40 a.m., Susan attempted to awaken her mother. Realizing that Ms. Aldrich was dead, she called the family doctor. Newton police arrived shortly thereafter. After the presence of blood was found on Mr. O'Neill's hands, he was taken to the police station for a parole violation. During police questioning, Mr. O'Neill gave a statement in which he implicated himself in Ms. Aldrich's murder. He also pulled Ms. Aldrich's ring from his sock and gave it to the police.

Mr. O'Neill's armed assault with intent to murder conviction stemmed from an attack on a 51-year-old woman on September 1, 1985, after he followed her on a fitness trail. He grabbed her from behind, severing the skin on her neck. Mr. O'Neill ran away, and the victim was taken to Newton Wellesley Hospital, where she received nine stitches.

II. PAROLE HEARING ON OCTOBER 27, 2016

Tyrone O'Neill, now 53-years-old, appeared before the Parole Board for a review hearing on October 27, 2016, and was represented by Student Attorney Ellen Dexter. Mr. O'Neill's initial hearing in 2000 resulted in the denial of parole. Subsequent review hearings in 2005 and 2010 also resulted in the denial of parole. In his opening statement to the Board, Mr. O'Neill apologized to the family of Ms. Aldrich, as well as to his first victim (and her family and friends), for his "senseless acts of violence." Mr. O'Neill also expressed his remorse for taking an "innocent life."

Mr. O'Neil discussed his life at the time of the murder. He stated that he had low self-esteem and was "always high" and "on alcohol." According to Mr. O'Neill, he did not want to deal with "the issue at hand" of having been sexually assaulted when he was 9-years-old. Mr. O'Neill stated that he had been on parole from a motor vehicle larceny charge, but took off shortly after he was granted parole. He traveled around the country (while whereabouts unknown), eventually meeting Susan back in Massachusetts. On the night of the murder, he went to a bar in Newton Highlands after a disagreement with Susan. Susan eventually went to the bar, as well, and the two of them got into an argument. Mr. O'Neill claimed that Susan was "hounding" him about her mother, saying that he had to "get rid" of her if he loved Susan. Susan left the bar after the argument. Later that night, when Mr. O'Neill was "high" and "tipsy," he went to Ms. Aldrich's house. He cut the screen and climbed into the home through a window. When asked what his intentions were, Mr. O'Neill stated, "She (Susan) told me that in order for us to be together, I had to kill her mother. Her mother didn't like me cus [*sic*] I was black."

Mr. O'Neill said that when he got into the house, he finished his bottle of gin and drank a couple of beers. He then got a kitchen knife, went upstairs, and stabbed Ms. Aldrich four times in the chest and once in the back. After stabbing Ms. Aldrich, he closed her eyes, took a ring off of her finger, and stole some money. Mr. O'Neill then washed the knife and put it back in the drawer. He proceeded to leave the house, go to a doughnut shop, and then to work. A Board Member asked Mr. O'Neill what was going through his head at that time, having just stabbed someone five times. Mr. O'Neill said, "I wasn't thinking...a lot of things were going through my mind." He was subsequently questioned by police and returned to custody for a parole violation.

Mr. O'Neill was also asked about the crime (occurring roughly two weeks prior to the murder) that resulted in his 15-20 year concurrent sentence. Mr. O'Neill stated, "I wanted drug money, I wanted to get high." Mr. O'Neill said that he had thought about robbing a store or a person, and decided to rob a person. He walked up behind the victim, put his hand over her mouth, and told her to give him her money. He also put a "dull" knife up to her throat. Mr. O'Neill said that he ended up cutting the victim, but letting her go. He claimed that he did not want to hurt the victim, but that he was a drug addict and "a drug addict's got to do what a drug addict's got to do, or alcohol, whatever it may be." Mr. O'Neill clarified that he was craving alcohol and that by "drugs," he meant marijuana. He later indicated that he no longer has the desire to use drugs or alcohol.

Board Members expressed concern that Mr. O'Neill committed two crimes while he was on parole, one of which was murder. One Board Member asked Mr. O'Neill if he had been ready for parole at that time. Mr. O'Neill responded, "No, sir" and stated that he knew he had a drug and alcohol problem. Mr. O'Neill was also asked about his disciplinary history while in prison. Mr. O'Neill said that he received 81 disciplinary reports for such incidents as throwing feces at a corrections officer while drunk and threatening a staff member with violence. Mr. O'Neill said that he was on medication at that time to treat his depression and suicidal ideation. Mr. O'Neill changed his attitude after an older inmate pulled him aside and told him to "man up." He said that he got off the medication he was taking and stopped "acting up." Mr. O'Neill attributes his work in obtaining his GED, along with his participation in programming, to not incurring any new disciplinary reports since 2008.

A Board Member asked Mr. O'Neill about his understanding of his mental illness. In response, Mr. O'Neill said that he has "some problems" and has been diagnosed with depression disorder and antisocial personality disorder. However, when a Board Member explained the antisocial personality disorder diagnosis to Mr. O'Neill, he stated, "That's not me." Mr. O'Neill also indicated that he gets depressed once in a while and, when he has a "real bad day," he speaks with one of the prison's emergency mental health clinicians. When asked how recently he spoke with one of these clinicians, Mr. O'Neill said that it was about two weeks before this hearing. Mr. O'Neill had wanted to talk with someone because he had a lot on his mind regarding his upcoming parole hearing.

While incarcerated, Mr. O'Neill graduated from the culinary arts program, took a computer class, and participated in a law library legal course. Mr. O'Neill presently works in the library and has attended Alcoholics Anonymous (AA) "on and off" for the past 10 years. He has also participated in programming, including Alternatives to Violence Program and Anger Management. At the time of this hearing, Mr. O'Neill was participating in Violence Reduction and had signed up to take Criminal Thinking, upon completion of Violence Reduction.

Mr. O'Neill did not have anyone testify in support of his parole. Middlesex County Assistant District Attorney Adrienne Lynch testified in opposition to parole and submitted a letter of opposition. ADA Lynch also represented that the Newton Police Department is in opposition to Mr. O'Neill's parole.

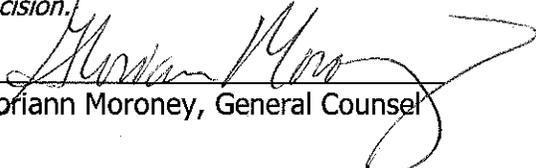
III. DECISION

Tyrone O'Neill's governing offense was committed while he was whereabouts unknown on parole supervision. Mr. O'Neill needs a longer period of positive adjustment and must engage in relevant programs to address his multitude of causative factors, to include: mental health, substance abuse, and antisocial behavior.

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

Mr. O'Neill's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages Mr. O'Neill 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.


Gloriann Moroney, General Counsel

4/11/17
Date