

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

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**Tina M. Hurley**  
*Chair*

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*Executive Director*

**RECORD OF DECISION**

**IN THE MATTER OF**

**WALTER CLARE**

**W95429**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** October 8, 2024

**DATE OF DECISION:** January 22, 2025

**PARTICIPATING BOARD MEMBERS:** Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, and Rafael Ortiz<sup>1</sup>

**VOTE:** Parole is granted to CRJ or Long-Term Residential Program after 6-month step-down.

**PROCEDURAL HISTORY:** On November 12, 2009, following a jury trial in Essex Superior Court, Walter Clare was convicted of second-degree murder and sentenced to life with the possibility of parole after 15 years. Mr. Clare was found guilty of four other offenses. He was convicted of larceny from a person and received a sentence of 4 to 5 years in state prison to run concurrently with his life sentence. For carrying a loaded firearm, the court sentenced Mr. Clare to 2.5 years to the House of Correction, to be served consecutively to his life sentence. The court filed Mr. Clare's convictions for carrying a firearm and possession of a firearm without an FID card.

**STATEMENT OF THE CASE:** On August 27, 2008, 18-year-old Walter Clare shot and killed Jonathan Harris in Lynn. Before the shooting, Mr. Clare had arranged a meeting with an individual known as "TJ" under the guise of purchasing marijuana. Mr. Clare intended to rob him. When TJ and a female pulled up to a prearranged meeting place, Mr. Clare got into the backseat of the car. Mr. Clare took drugs and money from both TJ and the female. Mr. Clare then ran to his friend's house on Quincy Terrace. Later, the female and 3 males, including the victim, confronted Mr. Clare on Quincy Terrace, where an argument ensued. During the argument, a witness claimed

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<sup>1</sup> Board Members Sarah Coughlin and Rafael Ortiz were not present at the hearing, but reviewed the recording of the hearing in its entirety and participated in the vote.

that Mr. Clare lifted his shirt to display a firearm that was tucked in his waistband, which prompted the group to leave Quincy Terrace. After Mr. Harris retrieved a firearm from the trunk of a car, the group returned to Quincy Terrace. Both Mr. Harris and Mr. Clare fired shots at one another, but missed. Mr. Clare then fired a shot at Mr. Harris, as Mr. Harris attempted to retreat. The bullet struck him in the forehead, killing him.

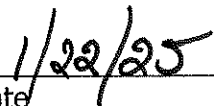
**APPLICABLE STANDARD:** Parole shall be granted "only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." G. L. c. 127, § 130. The Board considers multiple factors in making its decision, including the incarcerated individual's institutional behavior; their participation in available work, education, and treatment programs during their incarceration; and whether the incarcerated individual's chances of recidivism could be reduced by participation in risk reduction programs. G. L. c. 127, § 130. The Board considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the entirety of the incarcerated individual's criminal record, the incarcerated individual's institutional record, the incarcerated individual's testimony at the hearing, and the views of the public expressed at the hearing and/or in written submission to the Board.

**DECISION OF THE BOARD:** This is Mr. Clare's initial appearance before the Parole Board. He was 18-years-old at the time of the offense. He identified adverse childhood experiences that led to his involvement in criminal activities. He has addressed the causative factors of his past behaviors by engaging in programming and rehabilitation efforts through Emotional Healing, Addiction Recovery, and Restorative Justice. He appeared insightful of his trauma history and maladaptive behaviors. He has completed over 40 programs. He earned his Hi-Set. He has had no disciplinary reports for 10 years. He has been sober while incarcerated. He has been a facilitator for VOEG and has served as a mentor. He has support through the Transformational Prison Project. The victim's family opposed parole. Essex County ADA Zachary Grube provided opposition. Mr. Clare had multiple people offering support for parole.

**SPECIAL CONDITIONS:** Waive work for programming; CRJ for 90 days or Long-Term Residential Program; Report to assigned MA Parole Office on day of release; Curfew: must be home between 10 PM and 6 AM for 6 months, then at the recommendation of Parole Officer to the Board, if needed to be continued; Electronic monitoring for 6 months, then at the recommendation of Parole Officer to the Board, if needed to be continued; Supervise for drugs with testing in accordance with Agency policy; Supervise for liquor abstinence with testing in accordance with Agency policy; No contact with victim(s)' family; No contact with victim(s); Must have mental health counseling for adjustment and ADHD.

*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