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Paul M. Treseler
Chairman

Michael J. Callahan
Executive Director

DECISION

IN THE MATTER OF

WILLIAM GOFORTH
W41640

TYPE OF HEARING: Review Hearing

DATE OF HEARING: June 30, 2016

DATE OF DECISION: November 22, 2016

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Sheila Dupre, Tina Hurley, Lucy Soto-Abbe, Tonomey Coleman

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 the 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 at this time. Parole is denied with a review in three years from the date of the hearing.

I. STATEMENT OF THE CASE

On July 21, 1984, 20-year-old William Goforth shot and killed 25-year-old Thomas Taylor on Geneva Avenue in Dorchester. After an ongoing argument between the two men over drug money, Mr. Goforth, carrying two hand guns, confronted Mr. Taylor in front of a residence. Mr. Goforth chased Mr. Taylor into an area in the rear of Geneva Avenue. Mr. Goforth reportedly fired one shot. Mr. Taylor dove under a car, and Mr. Goforth then fired multiple shots, striking and killing Mr. Taylor. Mr. Goforth fled the area after the shooting. He was identified by several witnesses as the shooter and arrested weeks later on an unrelated charge. He was subsequently convicted of second degree murder, receiving a life sentence with the possibility of parole and a 3 to 5 year concurrent sentence for unlawfully carrying a firearm.

III. REVIEW HEARING ON JUNE 30, 2016

Mr. Goforth appeared before the Parole Board on June 30, 2016. Mr. Goforth has a lengthy parole history. Mr. Goforth was granted parole in July, 2006. In 2009, Mr. Goforth was returned to custody after being charged with assault and battery. The charges were later dismissed, thus the revocation was not affirmed and Mr. Goforth was released. Thereafter, Mr. Goforth picked up various infractions which resulted in a parole revocation. In 2010, Mr. Goforth was paroled again, but tested positive for cocaine shortly thereafter. As a result of infraction, he received a graduated sanction. In 2011, Mr. Goforth was again returned to custody for violating various conditions of parole. In, 2012, the Board re-paroled Mr. Goforth to an approved home plan after 18 months in lower security with various conditions. In February 2013, Mr. Goforth transferred to Boston Pre-Release. In June, 2013, however, Mr. Goforth tested positive for opiates, resulting in his transfer to higher security. In February, 2014, the Board ordered the provisional rescission of Mr. Goforth's parole based upon his return to higher custody and the inability to meet the Board's prescription. In April 2014, it was determined that Mr. Goforth attempted to introduce suboxone into the institution through correspondence with his girlfriend, resulting in a disciplinary report on which he was found guilty. In both 2014 and 2015, final rescission hearings were postponed at Mr. Goforth's request. In April 2016, the Board affirmed the final rescission of Mr. Goforth.

In his opening statement, Mr. Goforth apologized to both the victim's family, as well his own family and friends. When Mr. Goforth was asked to describe the circumstances in testing positive for opiates at Boston Pre-Release in 2013, he stated that he was the victim of a false positive screen, having consumed poppy seed bagels (daily) at Dunkin Donuts, his place of employment. The Board asked Mr. Goforth to describe the circumstances regarding his 2014 charge of attempting to introduce suboxone into MCI-Concord through his girlfriend. Mr. Goforth stated that he never requested that suboxone be sent to him, and he could not definitively explain why someone would be sending him unsolicited drugs. Instead, Mr. Goforth speculated that he was the victim of a setup. Despite his denial of wrongdoing, Mr. Goforth postponed his final rescission hearings in 2014 and 2015. When asked why he would postpone, Mr. Goforth did not have a plausible explanation.

The Board questioned Mr. Goforth about his 2009 positive test for marijuana while on parole. Mr. Goforth stated that he initially denied the results of the positive test, but then admitted guilt. In regard to his 2010 positive test for cocaine at the Dimock Center, Mr. Goforth denied any wrongdoing, claiming that the positive test was the result of "switching urine." He referenced a second test that he requested (performed two days later) which produced a negative result. The Board also asked Mr. Goforth about his participation in treatment and programming, as well as any employment, since his return to higher custody. Mr. Goforth stated that he was currently engaged in culinary arts, that he had "numerous other certificates," and that he had been "programming" since his return. He also stated that he attends AA and/or NA a total of three times a week.

The Board asked Mr. Goforth about his parole plan. Mr. Goforth requested parole to a program, such as the Transitional Treatment Program, and to "go home and work and do things I was doing before." Asked why he was requesting a treatment program at this time, Mr. Goforth stated that he thinks he has "some type of substance abuse issues." Mr. Goforth freely admitted to being involved in illegal activities during his parole supervision, as well as not

remaining "abstinence free." Mr. Goforth stated that his drug of choice is marijuana, which he used daily while on parole. Describing his substance abuse issues, Mr. Goforth stated that it "seems like I'm falling into the habit of, somehow, every time I came back, it seems like it had something to do with substance abuse, so I want to address that issue." He attributed his relapses to "thinking I could be slick, thinking I could get away with something." Asked to describe his triggers, Mr. Goforth said that he needed to change his friends and do a better job of listening to the good people behind him.

The Board expressed concern about Mr. Goforth's prior parole failures, his criminal activity while incarcerated and on parole, his associations, particularly a personal relationship with a convicted drug trafficker, his inability to avoid substance abuse, and a lack of candor and accountability for his actions. At the end of the hearing, the Board inquired about the ring he was wearing, Mr. Goforth indicated that it was a wedding ring for his common law marriage. When asked about the identity of his wife, Mr. Goforth declined to answer.

Speaking on behalf of Mr. Goforth were friends and a former employer. Suffolk County Assistant District Attorney Charles J. Bartoloni's letter in opposition to parole was also considered.

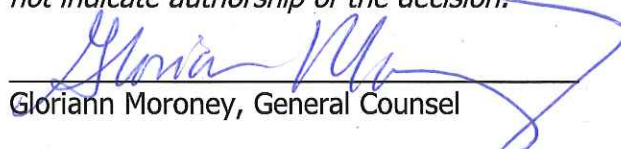
IV. DECISION

The Board is of the opinion that Mr. Goforth has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes that a longer period of positive institutional adjustment would be beneficial to Mr. Goforth's rehabilitation. The Board notes that Mr. Goforth previously failed on parole, and due to his return to higher custody, he failed to complete prescriptions. Specifically, Mr. Goforth had positive drug screens on two occasions and he attempted to introduce illicit substances into a correctional facility.

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 its opinion, the Board has taken into consideration Mr. Goforth'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. Goforth's risk of recidivism. After applying this standard to the circumstances of Mr. Goforth's case, the Board is of the unanimous opinion that Mr. Goforth is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Goforth's next appearance before the Board will take place in three years from the date of the hearing related to this decision. During the interim, the Board encourages Mr. Goforth 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

11/22/16
Date