

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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Chairperson

DECISION

IN THE MATTER OF

WILLIAM NADWORNYY

W40533

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **May 12, 2015**

DATE OF DECISION: **August 19, 2015**

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Lee Gartenberg, Tina Hurley, Lucy Soto-Abbe. Board Member Ina Howard-Hogan recused herself from this hearing.

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying 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 6-0 unanimous vote, that the inmate is not a suitable candidate for parole. Parole is denied with a review in five years from the date of the hearing.

I. STATEMENT OF THE CASE

On June 12, 1984, after a jury trial in Essex Superior Court, William Nadworny was found guilty of second degree murder in the killing of 17-year-old Lisa Belmonte. On February 26, 1985, Nadworny was released from custody based on the Massachusetts Appeals Court ruling for a stay of execution of sentence. On December 11, 1985, that stay of execution was vacated after the Supreme Judicial Court affirmed the conviction. Nadworny was then returned to MCI-Cedar Junction to continue serving the life sentence.

The facts of his offense are derived from *Commonwealth v. Nadworny*, 396 Mass. 342 (1985), a decision by the Massachusetts Supreme Judicial Court affirming his conviction. In 1981, Lisa Belmonte was a 17-year-old high school student in Lynn, where she resided with her

family. Nadworny was 26-years-old and until November, 1981, had lived next door to the Belmonte family with his wife. During the summer of 1981, Lisa and Nadworny became romantically involved. Throughout the fall of 1981, Nadworny would visit Lisa during her school lunch period almost every day and often picked her up at school. In November, 1981, Nadworny separated from his wife and moved to a nearby apartment in Lynn.

In the fall of 1981, as Lisa began to see more and more of Nadworny, her behavior at home began to change. On the weekend before Thanksgiving of 1981, Lisa ran away from home and stayed at the defendant's apartment. She was found hiding in one of the basement storage bins in the defendant's apartment building. As a result of this, and other episodes of running away, Lisa's mother and father filed a petition under G. L. c. 119, Sections 39E-39J (1984 ed.) (CHINS) in Lynn District Court. Lisa was referred to the Family and Children Services of Greater Lynn for counseling.

In January, 1982, Curt Willis (a former boyfriend of Lisa's who was then stationed in England with the United States Air Force) informed Lisa that he was to be discharged in March. At the beginning of 1982, Lisa's behavior improved and her mother testified that she was "back to her old self." In early March, Lisa picked up Curt at Logan International Airport and the two began seeing each other almost every day until Lisa's disappearance on March 18, 1982.

Between January and February, 1982, there was a diminution of contact between Lisa and Nadworny. Lisa's classmate and close friend, Debra Ann Lewis, testified that the defendant and Lisa were less frequently seen together during this period and that, when Nadworny would drive by and offer Lisa a ride, Lisa would turn him down. At the end of February, Nadworny told Debby that he loved Lisa and "couldn't bear it if they broke up" and asked Debby to tell Lisa that he wanted to see her. Nadworny repeated these feelings to Debby Lewis during the course of more conversations throughout early March of 1982.

Presumably in response to a perceived lessening of Lisa's interest in their relationship, Nadworny sent her a letter in early March. In it, he acknowledged the change in their relationship and the pain it caused him. He cited the fact that Lisa was seeing Curt Willis "almost every night" and that Nadworny felt "used" by her. He asked Lisa to telephone him so that they could get together. Lisa sent Nadworny a letter that was received by him sometime during the beginning of March. In it, she made clear that she intended to end their relationship and that if she met with him again, it would only be for the purpose of saying goodbye.

On March 18, 1982 (the day she disappeared), Lisa attended a previously scheduled 5:00 pm appointment with a clinical social worker and the counselor that Lisa had been seeing at the Family and Children Services of Greater Lynn. The social worker testified that Lisa "seemed in excellent spirits. She seemed to be functioning well in all areas of her life." Lisa seemed alert and her morale was "excellent." Lisa told her that she was planning to break off the relationship with Nadworny, had sent a letter to him telling him of her intentions, and that Nadworny had written back asking for one more meeting with her. Lisa stated that she intended to go over to Nadworny's apartment immediately after the counseling session and break off the relationship. Lisa and the social worker "kind of rehearsed" what Lisa might say to Nadworny. The social worker testified that Lisa was going to say "goodbye" and tell Nadworny that she was going to continue to see Curt. Lisa left the social worker's office just before 6:00 pm and seemed calm, cheerful, and perfectly normal.

About 7:00 pm this same evening, Lisa telephoned Debby Lewis. Lisa told Debby that "she [Lisa] and Billy [Nadworny] was talking [sic]." Debby noticed nothing unusual in Lisa's tone. Earl Bethune (a man who worked with Nadworny and who was also a close friend) telephoned his apartment at 7:00 pm on March 18, 1982, to see if he could spend the night there. Nadworny told him not to come and said "Lisa's here - [w]hy don't you come over in a couple of hours. She's going to be leaving shortly." At about 9:00 pm that night, Earl went to Nadworny's apartment, saw his car parked outside the apartment house, and saw a light on in the apartment. Earl pushed Nadworny's door buzzer persistently, but he received no answer. Lisa did not return home that night. She was never again seen alive by family or friends.

On July 20, 1982, State Police received a call that a badly decomposed body of a woman had been found in the trunk of a car in Lynn, Massachusetts. An investigation revealed it was Lisa Belmonte, who was last seen alive on March 18, 1982. The vehicle was registered to William Nadworny, who was subsequently arrested for her murder.

Nadworny admitted to having an intimate relationship between him and Ms. Belmonte, to placing Ms. Belmonte's body inside a bag used to store chairs, and to placing Ms. Belmonte's body in a storage bin in the basement of his apartment. Nadworny also admitted that he then left the building, retrieved a company car, placed Ms. Belmonte's body in the trunk, and drove to work, leaving the car in the parking lot. Nadworny claims that he was distraught, yet he went about his life and never told anyone. Nadworny maintains that he found Ms. Belmonte's body inside his apartment on or about April 4, 1982, and he thought she was dead. Nadworny did not call the police or medical personnel for assistance.

II. PAROLE HEARING ON MAY 12, 2015

William Nadworny, now age 58, appeared before the Parole Board for a review hearing, after receiving a denial with a five year review following his 2010 hearing. This was his fourth appearance before the Board. He was represented by Attorney Russell Sobelman. Nadworny has served 30 years of his life sentence. In his opening remarks, Nadworny stated, "I have regret and sorrow for Lisa Belmonte's death." He apologized to Ms. Belmonte's family for "having to deal with this for years." Furthermore, he conveyed to the Board that he "now has a full understanding that her family suffered a tragic loss. My efforts and legal issues had an effect on them. I am here today because of my judgments and poor behaviors. My fear triggered a reaction to conceal her body. I accept responsibility for her death and all the bad decisions I made. It was wrong of me not to call the police. My conduct was inexcusable. My hope today is to return to my life and the community."

The Parole Board reviewed pertinent information regarding Nadworny's prior parole hearings and his candor regarding the offense. When he last appeared before the Board, Nadworny did not admit to the crime and had never accepted responsibility. After his last appearance, the Board recommended that Nadworny engage in counseling and complete more meaningful programming. When asked by Board Members what he takes responsibility for, Nadworny responded, "I have come to terms with my crime and take responsibility for her death. My responsibility is for finding her in my apartment and not calling the police." Nadworny stated that he did not know how Ms. Belmonte died. Regarding the day he discovered her body in his apartment, he said that "I put her in a storage bin for 57 days, but

then someone complained of the smell. I tied her up, put her in plastic and moved her to the trunk of my car. I was living a lie because I was in shock as to what happened. I didn't have the courage to call the police." Nadworny's previous testimony was that Ms. Belmonte had "overdosed," even though she had never used drugs in his presence. One Board Member pointed out to Nadworny that although he is accepting responsibility, the court previously rejected this theory.

Nadworny was asked to describe the nature of his relationship with Ms. Belmonte at the time of the governing offense. He stated, "I knew Lisa from the neighborhood. She was friends with my sister. I knew her since she was a child." Ms. Belmonte was 16-years-old when they developed a relationship and he was 24-years-old. Nadworny, who was married in 1982, was separated from his wife due to their incompatibility. He let Ms. Belmonte stay at his place when he was not there (mostly on the weekends), as he had heard she was having problems at home. According to Nadworny, she stayed with him three or four times from September to December 1981, and she "was under big pressure from her family and they had a CHINS on her." Weeks prior to the governing offense, Nadworny stated that they decided to "relax the relationship." Nadworny said that Ms. Belmonte became involved with her former boyfriend (of whom Nadworny was aware) and said, "we talked about that and I knew she was seeing him. I said ok. I didn't have a problem with it. Not at all." However, when questioned by another Board Member regarding Ms. Belmonte's relationship with her former boyfriend, he stated, "I was hurt." Nadworny claimed that Ms. Belmonte called him all the time and that the last time he saw her was about "mid-March, 17th, 18th or 20th," when she went to see him at his apartment. After a discussion, she left and went out with her friends. He claimed the next time he saw her was when he found her body lying on the floor in his apartment.

Board Members also questioned Nadworny on the two charges on his record for contributing to the delinquency of a minor and for possession to distribute a Class D substance. He stated that the charges involved both Ms. Belmonte and her friend Debra Lewis. He was convicted of both charges and, at the time of the murder, was on probation. In addition, his criminal record reflects that on December 7, 1981, Nadworny was arraigned in Lynn District Court on a charge of manslaughter, as it was alleged that Nadworny killed Ms. Belmonte after she went missing for a few days. That charge was dismissed.¹ When asked by the Board about the charges, he stated, "I had no idea how and why I was charged with manslaughter."

Nadworny denied any incidents of domestic violence with Ms. Belmonte. Board Members confronted him with incidents involving her, which included: harboring a minor when she was found hiding in his apartment, a letter he wrote to Ms. Belmonte regarding her relationship with Curt Willis, Debra Lewis' testimony that Nadworny was "really upset" the relationship was ending, the fact that Nadworny asked Earl Bethune to be his alibi, Nadworny's trips several times a week to Ms. Belmonte's school to pick her up and have lunch, and the significant age difference between them. To these questions, he was not entirely forthcoming and minimized his role in his actions. Regarding his plans if granted parole, Nadworny stated that he would reside with his family and manage the family business. He stated that he would only manage the "business" aspect of his family's funeral business. In addition, he would like to attend counseling and said, "It would be good to talk to someone."

¹ On May 18, 1983, the charges were bound over to the Superior Court and later dismissed.

Nadworny had many members of his family appear in support of parole. A friend of Nadworny's and prison volunteer spoke in support of parole. Attorney Sobelman made a closing statement in support of parole and emphasized Nadworny's years of incarceration, his rehabilitative efforts (including being a "model prisoner"), and the fact that Nadworny has accepted responsibility for the cover up, lies, and deceptions at the time of the offense.

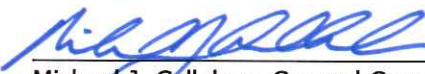
Speaking in opposition to Nadworny's parole were Ms. Belmonte's cousins, as well as her nephew. In addition, Essex County Assistant District Attorney Elin Graydon also spoke in opposition to Nadworny's parole. ADA Graydon stated that Nadworny lacked insight into his conduct and to what he did to Ms. Belmonte's family. In addition, she stated that it took him 30 years to do comprehensive programming. Furthermore, ADA Graydon said that Nadworny could not identify any problems or concerns he would have, if released. The Commonwealth asked that Nadworny be denied parole, as he is not yet a suitable candidate.

III. DECISION

William Nadworny was convicted of murdering Lisa Belmonte. He concealed her body in two different locations for nearly four months, adding further anguish to her surviving family members. Although he takes responsibility for all of his post-mortem actions, he fails to take responsibility for the murder itself. Every judicial review of the matter determined there to be sufficient evidence to convict Nadworny of murder. While the Parole Board acknowledges that Nadworny has engaged in institutional programming, he has made no progress in understanding his criminal behavior, lack of candor, and issues with domestic violence. The Board continues to have concerns with his failure to take responsibility for the murder of Ms. Belmonte. His version lacks credibility and his past and recent statements are very inconsistent. Therefore, he has yet to demonstrate that he meets the legal standard for parole.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that "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." Applying that appropriately high standard here, it is the opinion of the Board, by a 6-0 vote, that William Nadworny does not merit parole at this time because he is not rehabilitated. The review will be in five years from the date of the hearing, during which time Nadworny should commit to a more comprehensive rehabilitation that addresses his lack of candor and empathy, as well as his criminal behavior and issues of domestic violence.

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.


Michael J. Callahan, General Counsel


Date