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Josh Wall  
Chairman

**DECISION**

**IN THE MATTER OF**

**TIMOTHY LUCAS**

**W55018**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** August 30, 2011

**DATE OF DECISION:** September 12, 2012

**PARTICIPATING BOARD MEMBERS:** Cesar Archilla, John Bocon, Dr. Charlene Bonner, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

**DECISION OF THE BOARD:** Parole is denied with a review in three years. The decision is unanimous.

**I. STATEMENT OF CASE**

Timothy Lucas, at age 19, shot Christopher Bender, age 18, to death at approximately 2:30 a.m. on November 3, 1991 in Brockton. Lucas and six associates went to the Crescent Court housing project armed with guns specifically searching for Bender. Lucas and one of his associates had a dispute with Bender two weeks prior to the shooting. Lucas was first to run toward the car that Bender was sitting in and fired the first shot towards Bender. After the first shot, the co-defendants began shooting at Bender. Bender was shot four times and at least 21 shots were fired. Lucas, who was on parole at the time of the murder, was apprehended at the Parole office while visiting his parole officer.

At trial, Lucas and three co-defendants were convicted of second-degree murder. Three other co-defendants were convicted of first-degree murder and another was convicted of accessory after the fact. The Massachusetts Appeals Court affirmed Lucas' conviction in 1995. Lucas has filed two motions for new trial. The most recent motion for new trial was dismissed in 2011.

Lucas' criminal record includes several prior offenses. His first arrest was at the age of 13. His most serious offenses, committed at age 18, were assault and battery on a police officer, assault and battery with a dangerous weapon and possession to distribute class B substance. Lucas committed the murder while on parole for the latter two offenses.

## **II. PAROLE HEARING ON AUGUST 30, 2011**

Lucas presented an opening statement in which he stated at the time of the murder he was "getting into trouble in Boston" and relocated to Brockton. He said that he was a member of the Columbia Point Dogs in Boston and the West Side Crips in Brockton. He admitted that he and his co-defendants brought firearms to the party in Brockton and displayed the guns at the party prior to the shooting. He admitted smoking marijuana "heavily." He stated that he understood the reasons for his prior parole denial and advised the Board that he had been more program involved and accepts responsibility for the death of Mr. Bender. Board Members asked Lucas if his recent motion for new trial was consistent with accepting responsibility.

The inmate is now 39 and has been incarcerated for 18 years. He is currently working in the Assisted Living Daily Unit at MCI Shirley. Since his last hearing, he has completed the CRA and Alternatives to Violence. He has 19 disciplinary reports, three of which were received since his last hearing. He has received reports for fighting, participating in a major disturbance, threatening staff, and homebrew. He stated that he is on the waiting list for the following programs: Cognitive Skills, Emotional Awareness, Father's Group and Health Awareness.

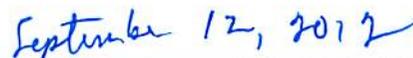
## **III. DECISION**

Timothy Lucas committed this murder while on parole supervision for a violent offense and a drug offense. His rehabilitative efforts via programming have been sporadic and there appears to be no sense of urgency to participating in meaningful programming. In the last three years he has improved participation in programs to address his violent behavior. The Board concludes that Lucas has not reached the point where it is reasonably probable that he would not commit a new crime if released and his release is incompatible with the welfare of society. Parole is denied with a review in three years.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.*



Josh Wall, Chairman



Date