



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

BENLEY THOMPSON

W41806

TYPE OF HEARING: Review Hearing

DATE OF HEARING: December 13, 2011

DATE OF DECISION: March 26, 2012

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

DECISION OF THE BOARD: Release to Home on or after April 9, 2012, with additional substance abuse counseling. The decision is unanimous.

I. STATEMENT OF THE CASE

Benley Thompson was released on parole from a life sentence for second-degree murder on February 27, 2009. He successfully re-integrated in the community for a period of nearly two years before he relapsed by drinking alcohol. He reported to his parole officer on January 27, 2011 that he had resumed problem drinking that he could not control; alcohol consumption is a violation of Thompson's parole; he was returned to custody on that day. At the completion of the revocation process, the Parole Board revoked parole on April 25, 2011.

Thompson murdered shop owner Herbert Krous on January 4, 1985 in Mr. Krous' appliance store on Adams Street in Dorchester. Thompson entered the store during business hours and, using a gun, took money from the cash register and from customers. Mr. Krous protected himself and his customers by firing his own weapon; he shot Thompson in the leg. Thompson struggled with and then shot Mr. Krous. Thompson was a heavy cocaine user; he committed the armed robbery in order to obtain money to buy drugs. Thompson pleaded guilty

to second-degree murder and armed robbery; he served 24 years for the murder before his parole; he is currently 63 years old.

II. FACTORS RELEVANT TO RE-PAROLE DECISION

The Parole Board considered and gave weight to the following factors in considering Thompson's request for re-parole.

1. In two years on parole, Thompson worked two jobs and supported himself by earning a good income.
2. Thompson was connected with and worked for Pyramid Builders, a well-regarded Boston social service provider that works regularly with ex-offenders; Pyramid Builders is an important resource and community support for Thompson.
3. Thompson resumed a relationship with a woman that resulted in marriage in June 2010. His wife is a professional person who remains supportive of her husband; it appears that she had no connection to or knowledge of Thompson's surreptitious drinking at the time of his revocation. Thompson and his wife have an adult son who lived with them and works for a financial services firm.
4. With his wife, Thompson purchased a house in a Boston suburb. His wife has maintained ownership of the home during this period of re-incarceration.
5. Thompson continued his education while on parole. He was enrolled in a psychology masters program at a local college. This follows up on a history of commitment to advancing his education; Thompson obtained a bachelor's degree from Curry College and a master's degree from Boston University while he was incarcerated in the 1990s.
6. Drinking alcohol is a serious violation of parole for a person with a substance abuse problem. Thompson recognized the seriousness of his problem and, when asked to submit to drug/alcohol testing, he reported his drinking to parole officer. Thompson says, "I realized that I could not stop drinking."
7. Thompson's drinking did not result in violent or angry behavior.
8. At his re-parole hearing, Thompson gave an honest assessment of his strengths and weaknesses on parole, showed insight into his problems with alcohol, and gave intelligent and thoughtful answers to questions.
9. At the re-parole hearing, supporters of parole provided good accounts of the successful community involvement Thompson achieved on parole, and described their continued support. Thompson's marriage is intact: his wife would welcome his return to the house they own together and she described that Thompson had "made an amazing adjustment on parole." His employer speaks highly of Thompson's work and will provide employment again.

III. DECISION

Benley Thompson is an alcoholic who, at age 63, ruined a successful return to society by relapsing. There is no sign that he remains a threat to commit an act of violence. In fact, he was living a life of hard work, building productive family relationships, and interacting positively

with the community. His re-incarceration period of 14 months is a sufficient period of forced sobriety and removal from the community as the expected means of accountability. Thompson's rehabilitation has successfully addressed his former inclination towards criminal thinking and criminal behavior, and replaced anti-social behavior with pro-social behavior.

The Parole Board concludes that Thompson's release, with a stringent requirement of intensive substance abuse counseling, is compatible with the welfare of society. There is a strong probability that he would not commit a new criminal offense if released. Benley Thompson's release will be a benefit to his family, his employers, and his community where he was making a positive contribution. The Parole Board encourages Benley Thompson to remain sober and return to his community with continued peaceable and positive behavior.

SPECIAL CONDITIONS: No alcohol or drug use; substance abuse evaluation conducted by Parole's substance abuse counselor with required treatment plan specifying counseling plan; AA or NA 3 times per week with sponsor; increased frequency for drug/alcohol testing to twice monthly for minimum of six months.

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

Josh Wall

Josh Wall, Chairman

March 26, 2012

Date