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DECISION

IN THE MATTER OF

CHRISTOPHER DOANE
T20479

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **October 23, 2012**

DATE OF DECISION: **March 26, 2013**

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

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, institutional record, the views of the public as expressed at the hearing or in written submissions to the Board, we conclude by a unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in five years.

I. STATEMENT OF THE CASE

On April 5, 1994, 16-year-old Christopher Doane shot and beat 18-year-old Eddie Hall to death. He was charged as a juvenile and, on August 15, 1996, he was found guilty in the Lynn District Court of first degree murder and sentenced to 15 to 20 years as a juvenile offender. He was also found guilty of possession of a firearm without a permit for which he was sentenced to a commitment to the Department of Youth Services. The maximum date for Mr. Doane's sentence is April 24, 2014.

On the day of the murder, after consuming malt liquor at his mother's apartment, Mr. Doane along with some friends went into the woods with a rifle and some bullets and took turns shooting at a tree. Mr. Doane was angered with Mr. Hall because of an accumulation of events between the two and shot him. Mr. Doane moved closer to Mr. Hall, shot him again in the face, hit him over the head with the rifle butt with enough force to break the rifle, and dropped a rock on the back of his head. The autopsy revealed that the cause of Mr. Hall's death was multiple gunshot wounds and blunt force injuries to the head. One of the gunshot

wounds appeared to have been inflicted with the barrel of the gun pressed directly against Mr. Hall's skin.

II. INSTITUTIONAL HISTORY

Prior to trial and immediately following his conviction, Mr. Doane was housed at the Plymouth County Correctional Facility juvenile unit. While there, his institutional adjustment was poor, and he incurred numerous incident reports. The most serious of these reports occurred in April of 1997 where an investigation revealed that he played a major role in a serious group disturbance involving 21 juveniles. His behavior necessitated a transfer to MCI-Concord, a state prison facility, in June of 1997.

Mr. Doane's continued adjustment has been problematic resulting in several returns to higher security, approximately 122 disciplinary infractions, and two out of state placements in New Mexico. Significant disciplinary infractions include assaultive behavior, destruction of property, introducing drugs into a correctional facility, fighting, and sexual misconduct. Mr. Doane is currently housed in the only maximum security correctional facility within the State due to his recent participation in a group assault on another inmate and his overall problematic adjustment.

During his incarceration, Mr. Doane has obtained his GED and has also participated in Basic Substance Abuse Group, Relapse Prevention, and Outpatient Addiction Services. In addition, he has completed Introduction to Computers, Successful Offender after Release, and Corrective Thinking programs. Throughout his incarceration he has been employed in various positions within the institutions.

III. PAROLE HEARING ON OCTOBER 23, 2012

Mr. Doane appeared before the Massachusetts Parole Board on October 23, 2012, for a Review Hearing. He appeared before the Board for his Initial Parole Hearing on February 10, 2009. At that time, the Board denied parole, with a review in 3 years, noting that while has made some positive strides by engaging in programming and improving his institutional behavior, his overall institutional record was deplorable. The Board noted that he had not engaged in any significant programming to address his substance abuse issues.

Mr. Doane is now seeking a parole to a Long Term Residential Program. He plans to obtain his journeyman's license in plumbing and work with his brother. Mr. Doane's parole plan failed to provide the Board with any indication as to how he would maintain his sobriety and did not address his anger management issues and his propensity for violence. In addition, he has a limited support network in the community.

Mr. Doane indicated that he knew that the repercussions of his continued anti-social behavior within the correctional system were different than others convicted of similar crimes because his release is inevitable. He attributes his impulsive and anti-social behavior to insecurity and agreed that he has yet to establish a long track record of impulse control. Mr. Doane accepts responsibility for the murder of Mr. Hall, stating that it was a result of an accumulation of events that had transpired between the two over the course of several weeks. Mr. Doane candidly admitted that he did not believe that he merited parole because of his problematic institutional conduct.

Assistant District Attorney Catherine Semel, representing the Essex County District Attorney's Office, strongly opposed parole "as [Mr. Doane's] conduct over the past eighteen months signaled a definite negative trend due to his continued display of violence within the structured confines in a prison setting." Mr. Doane's brother spoke in support of parole.

IV. DECISION

Mr. Doane committed an exceptionally violent offense at the age of 16 and has been incarcerated for the past 19 years. In light of the nature of his governing offense, coupled with his proclivity toward negative behavior and minimal programming to address his rehabilitative needs, the Board concludes that Mr. Doane is not yet ready for community supervision. The Board recognizes that this is not an optimal situation, as Mr. Doane is scheduled for release in April of 2014, but is convinced that Mr. Doane is not a suitable candidate for parole based on his presentation at the hearing, his lack of parole plan with respect to maintaining sobriety, and the information before the Board concerning his sustained poor institutional conduct. He needs a period of prolonged positive institutional behavior and programming before he is deemed a good candidate for parole.

The standard applied in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that, "[p]arole 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, we find that the inmate does not merit parole at this time.

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.

Caitlin E. Casey, Chief of Staff

3/26/13
Date