



The Commonwealth of Massachusetts  
Executive Office of Public Safety



PAROLE BOARD

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Chairman

**DECISION**

**IN THE MATTER OF**

**OSCAR HOFFMAN**

**W47389**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** November 15, 2012

**DATE OF DECISION:** January 22, 2013

**PARTICIPATING BOARD MEMBERS:** Cesar Archilla, Sheila Dupre, Dr. Charlene Bonner, 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 November 13, 1987 at approximately 3:00 a.m., Mr. Hoffman and his co-defendant, Norman Bettencourt, climbed through the bedroom window of Linda Rossi Montgrain. The two men had been drinking throughout the day. Mr. Hoffman had a prior dating relationship with Ms. Montgrain; however, she had recently been granted a protective order against Mr. Hoffman. While in her home, an argument ensued between Mr. Hoffman and Ms. Montgrain. During the argument Mr. Hoffman began beating Ms. Montgrain. After Mr. Hoffman took money from her purse, Ms. Montgrain protested and Mr. Hoffman responded by gagging her with a sock. He then instructed Mr. Bettencourt to remove his shirt and they both used their shirts to tie her arms and legs. Ms. Montgrain was screaming, so they used a towel to strangle her and suffocated her with a pillow. Ms. Montgrain's two young sons were sleeping in the next room during the murder of their mother.

Following the murder they took Ms. Montgrain's money and went to Mr. Hoffman's house. Mr. Hoffman instructed Mr. Bettencourt to throw the shirts in the river, but Mr. Bettencourt threw them in Mr. Hoffman's backyard instead. Later that day Mr. Bettencourt was questioned by police and implicated Mr. Hoffman in the murder. Mr. Hoffman was subsequently questioned and gave numerous statements to police that implicated Mr. Bettencourt as the aggressor. Both men were charged with murder.

Mr. Hoffman pled guilty to second-degree murder on November 13, 1989. He was sentenced to life in prison with the possibility of parole. A charge of aggravated rape was nolle prossed. Based on statements made to police regarding sexual contact with the victim prior to her murder and the state in which her body was found, Mr. Hoffman would need to be referred to the District Attorney's Office for the possibility of pursuing a civil petition as a sexually dangerous person prior to any parole release.

Co-defendant Norman Bettencourt pled guilty to second-degree murder on November 12, 1989. He was granted parole in 2007 after his second parole hearing, was released to ICE custody, and deported to Portugal.

## **II. INSTITUTIONAL HISTORY**

Mr. Hoffman has incurred 45 disciplinary reports, many of which consist of fighting with other inmates, using razor blades to inflict wounds to himself, and threatening to commit suicide. He was transferred to New Hampshire in 1994 for one year due to security reasons; he incurred numerous disciplinary reports in New Hampshire and was housed in protective custody.

Mr. Hoffman has required three institutional transfers due to being a management problem. He has also been transferred to Bridgewater State Hospital approximately 16 times due to numerous self-injurious behaviors and threats to commit suicide. Mr. Hoffman's most recent threat to commit suicide was in 2010 where he was witnessed swallowing a handful of pills that he stated were blood pressure pills.

Mr. Hoffman has completed minimal programming and is currently housed in protective custody. Mr. Hoffman receives mental health services, including counseling and medication.

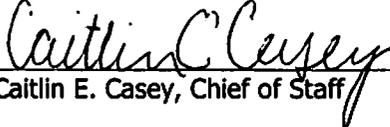
## **III. DECISION**

Mr. Hoffman has provided various versions of the murder of Ms. Montgrain including conflicting statements about whether he sexually assaulted her. He has a documented history of inconsistencies since his initial interview with the police, and during two prior parole hearings. Mr. Hoffman's versions have ranged from his inability to recall the most significant details of the offense (due to intoxication on cocaine and alcohol), to insisting that his co-defendant, Mr. Bettencourt, was the aggressor, and that Mr. Bettencourt raped Ms. Montgrain. Mr. Hoffman has not presented any one consistent version, and continued to provide varying admissions to the Parole Board during this hearing. Mr. Hoffman now states that he agrees with the facts outlined in the police report, but says he has never reviewed the report. However, when details of his actions were presented to Mr. Hoffman, he insisted that he still cannot recall strangling or suffocating Ms. Montgrain but states "there is a 70% chance that I'm responsible." His testimony was confusing and lacked credibility. Most concerning, Mr. Hoffman has not demonstrated that he has gained any insight or effective rehabilitation since his incarceration.

Mr. Hoffman's need for repeated hospitalizations at Bridgewater State Hospital demonstrates a pattern of instability and acute need for treatment of his suicidal ideation. His most recent suicidal gesture was in 2010 where he reported that he overdosed on his prescribed medication to treat high blood pressure. Mr. Hoffman reports that he would hope to have services provided by the department of mental health (DMH) if he is paroled; however, he has required the highest level of mental health treatment throughout his incarceration. Mr. Hoffman had no supporters present at his parole hearing. Mr. Hoffman has clearly demonstrated that he would need significant supports to successfully function in the community.

Given Mr. Hoffman's poor institutional adjustment and conduct, and lack of rehabilitation, it is the unanimous decision of the board that Mr. Hoffman's release is not compatible with the welfare of society and that he would be likely to re-offend if released. He is encouraged to engage in all available programming and to invest in rehabilitation.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing. This signature does not indicate authorship of the decision.*

  
Caitlin E. Casey, Chief of Staff

1/22/13  
Date