



The Commonwealth of Massachusetts  
Executive Office of Public Safety



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**DALE WILLIAMS**

**W66527**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** June 11, 2013

**DATE OF DECISION:** September 30, 2013

**PARTICIPATING BOARD MEMBERS:** Cesar Archilla, Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, Lucy Soto-Abbe, Josh Wall.

**DECISION OF BOARD:** After careful consideration of all relevant facts, including the nature of the underlying offense, criminal record, 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**

Dale Williams appeared before the Massachusetts Parole Board on June 11, 2013, for his initial parole hearing. On May 15, 1999, a jury found Williams guilty of the second degree murder of 46-year-old Windsor Raymond. He was sentenced to serve life in prison. Williams was 33. The Appeals Court affirmed the convictions, and the Supreme Judicial Court declined further review. *Commonwealth v. Williams*, 54 Mass. App. Ct. 1101, rev. denied, 436 Mass. 1106 (2002).

Raymond's body was found rolled up in a carpet on the second floor of an abandoned building on December 20, 1995, at 4:00 p.m. Williams was homeless at the time, and had met two other homeless individuals, Daniel Kelly and Sharon Speller, at a soup kitchen. While waiting for the soup kitchen to open, Williams conversed with Kelly, Speller, and Jason Stiles, who was also homeless. In Williams' presence, Stiles stated that he had "killed a nigger." Williams nodded his head up and down in agreement. Stiles further stated that he had cut the

man's throat with a piece of window glass and pulled his eye out, that both he and Williams beat the man, kicking and punching him, and that they had killed him over a half bottle of wine.

Williams admitted complicity in the murder to his friend, William Spadea. He told Spadea, "You wouldn't believe what we did last night . . . . We killed somebody." He explained that Stiles was fighting with a man and that he had jumped in and poked the man in the eye and stabbed him with a piece of glass. Williams, along with Kelly and Speller, left the soup kitchen on December 20 and went to a garage to drink beer and vodka. They stayed there for only half an hour because Speller was cold. Williams then took them to a boarded-up house at 53 Pleasant Street in Brockton to stay warm and drink more alcohol. They entered through a hole in the wall covered by a piece of plywood, and went up to the third floor. Williams said that he had camped there once or twice before, and told Kelly that there were blankets on the third floor, but that nothing was on the second floor. Speller stayed there while Williams and Kelly went to buy more alcohol.

The Brockton Fire Department was located directly across the street from the boarded-up building. That day, Fire Department personnel called the Brockton Police after receiving information from a man on the street, presumably about the people who were in the building across the street. While the fire department awaited police arrival, they observed Williams and Kelly walk up the driveway and enter the boarded-up building. The police arrived shortly after Williams and Kelly had returned with alcohol, and two police officers and fire department officials entered the building through the plywood covered hole in the wall. They located Williams, Kelly, and Speller on the third floor, and the police arrested all three. While a police officer was escorting the three from the building, a fireman notified him that a rolled-up, bloodstained carpet was on the second floor. When additional officers arrived, they went to the second floor and saw the rolled-up carpet with a windowpane lying on top of it and broken glass all around. Windsor Raymond's bloodied dead body was discovered within. Blood stained the walls and the door.

An autopsy revealed that Raymond had died one or two days before, either December 18 or 19. Among the injuries that Raymond suffered were swelling over both eyes, a two-inch cut over his left eye and a one-inch tear over his right eye, a broken neck bone caused by blunt force, and bleeding on the brain caused by several blunt force blows. Raymond also suffered a compound stab wound to the left side of his neck, which could have been caused by a knife or broken glass. The stab wound penetrated to a depth of three inches.

The police questioned Williams on the night of his arrest, and he was charged with breaking and entering in the daytime with the intent to commit a felony.<sup>1</sup> At the time of his arrest, he had cuts on his hands and his handkerchief appeared to have to blood on it. The police seized his clothing when he was at court for arraignment on December 21, 1995. Over the next couple of years, the police obtained Williams' fingerprints and blood sample. Williams' thumb print was found to match a thumb print taken from a bloodstained door to the room where Raymond's body was found. DNA testing further revealed that Raymond could not be excluded as the source of blood that was found on three layers of clothing (undershirt, shirt, and flannel shirt) that had been previously seized from Williams. Williams was subsequently arrested for Raymond's murder on July 1, 1998.

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<sup>1</sup> The charge was dismissed less than a month later, on January 18, 1996, and Williams remained at liberty until his arrest for Raymond's murder on July 1, 1998.

## **II. PAROLE HEARING ON JUNE 11, 2013**

Dale Williams, now age 51, appeared for his initial parole hearing on his life sentence for second degree murder. Williams denied taking any part in the murder. He reported that at the time of the murder he was homeless in Brockton, drinking alcohol daily, and sleeping frequently in a girlfriend's van. Throughout the day, he and his associates would drink and collect coins for redemption. He gave the following account of his knowledge of the murder: Jason Stiles brought the victim to an abandoned building where homeless people frequently gathered; "people drank there all the time; I'd never seen the victim before; I gave the victim a can of beer; I finished my beer and left the room to go to the bathroom; I came back and Stiles had the victim in a headlock; just a headlock is all I seen; I left and went to my van with my quart of beer and cigarettes."

Mindful of the fact of erroneous convictions in Massachusetts, Board Members asked Williams to explain pieces of evidence that tended to incriminate him. He said he had "no idea" how his thumb print ended up on a bloodstained door at the scene. When asked about cuts on his hand and his clothes recovered from the scene that were evidently stained from the victim's blood, he said "I had cuts on my finger from canning, I wiped blood on my lumberjack shirt, I took the shirt off and left it in the building so others could use it to stay warm." He denied making inculpatory statements to William Spadea and testified that "I told Billy Spadea 'Don't go to that building because you'll be accused of something you didn't do; I never said 'we' did something. I said, 'You wouldn't believe what Stiles did.' " He also denied that he told police he obtained a piece of broken window glass and gave it to Stiles to use against the victim. Williams' denials and explanations were not helpful to his claim of innocence.

Williams reported that he grew up in Massachusetts living with both parents and several siblings. His father worked as an auto mechanic. He began high school in Randolph, but attended Avon High School for tenth grade after his family moved. He wanted to work, so he dropped out of school after tenth grade. He was drinking on weekends and smoking marijuana daily for several years. He was married in 1981, had two children, and divorced in 1984. He has had no contact with his children since 1984 and does not know where they are. After the divorce, he was not working and eventually ended up homeless in Brockton. He drank heavily and said he was "passing out from alcohol and slept outside many times." He has no contact with any family members. He said, "1990 was my last contact with any family, that's when my mother died."

Williams has incurred 11 disciplinary reports during this incarceration, primarily for insolent behavior and violating department rules and regulations. He has a 2000 disciplinary report for conspiring to bring narcotics into the prison. He has completed the Correctional Recovery Academy, Alternatives to Violence, and Rational Recovery. He is now working in the kitchen after a period of unemployment. While his behavior has improved and he has not received a disciplinary report over the last three years, his program involvement has disappointingly dwindled, and he has not been program involved since 2011. Despite admitting that he needs to continue working on his anger and drinking problem, Williams stopped addressing his anger issues in 2011, and infrequently attends AA meetings now. When questioned regarding the decline of his program involvement, Williams said, "I've taken enough programs to get me in the normal swing of things; there's nothing else I'm interested in for

programs; I can't think of any programs I should do." He works in the kitchen, and offered that as the reason he has not sought a GED and stopped attending religious services.

Williams provided conflicting information concerning his anger issues. He testified that "I'm not an angry person; I never started anything." Board members reminded Williams that his criminal history documents six violent incidents in addition to the murder (with four resulting in convictions or guilty findings) and that Williams said in the parole interview that he "got into a lot of fights" and he "never backed down" when someone threatened him or came at him. He eventually acknowledged his history of anger and said, "if someone gets sarcastic with me, I change; I'm not afraid to go toe to toe with anyone; that's the way I was brought up." He repeated that "I didn't do" the murder, but "I did all those other crimes on my record."

There were no supporters of parole present. Plymouth Assistant District Attorney Matthew Libby testified in opposition to parole. He noted that Williams' palm print and a thumb print were found at the scene and that he initially told police that the blood on his discarded shirt came from his hands and nose.

### III. DECISION

Dale Williams has served 15 years of a life sentence for the murder of Windsor Raymond. He maintains his innocence, but the jury's verdict is supported by probative circumstantial evidence, physical evidence, DNA evidence, and inculpatory statements made by Williams to friends and police. The Appeals Court affirmed the conviction. A claim of innocence by an inmate convicted of murder, unsupported by exculpatory evidence, does not change the Parole Board's expectation and the law's requirement that Williams achieve rehabilitation in order to live in the community under parole supervision.

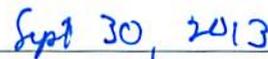
The record establishes that Dale Williams is not rehabilitated. He has not made the earnest and consistent efforts towards reform that would merit parole at his initial hearing. He has issues of anger and substance abuse that would make him a risk to public safety if paroled.

The standard 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 an 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, the Parole Board concludes that Mr. Williams is not currently suitable for parole. The review will be in five years, during which time Mr. Williams should make a concerted effort towards reform with emphasis on addressing anger and substance abuse issues and developing some positive relationships with pro-social people.

*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.*



Josh Wall, Chairman



Date