

Panel of Parole Board Members
San Quentin State Prison
April 30th 2019

RE: For the THIRD Parole Consideration Hearing
Taking place on May 30th 2019
In the matter of the Life Term Parole Consideration
Hearing of:
RAUL HIGGINS
CDC Number: P29949

Gentlemen and Ladies of the Parole Board:

My name is Megan Bolger and I am the youngest child of the Victim, Carolyn Marie Bolger. The prisoner before you, Raul Higgins, brutally strangled my mother to death while I was at school when I was seven years old. It has been twenty years since my mother was killed by the hands of this psychopath. On multiple occasions, his actions have proven him to be a predator of vulnerable women. At previous parole hearings, he has admitted to being a domestic violence abuser, a manipulator, a narcissist and a murderer. In addition, from my eyes as an innocent young child, I've witnessed him stalk my mother, break-in and trespass in our home. It is my understanding that a prison is a place for those that pose an unreasonable threat to society, which means this murderer is exactly where he belongs. On behalf of my mother's memory, my family and all those in the community affected by this murder, I ask that this killer to remain in prison. I ask the parole board to honor their duty to justice and that the prisoner be denied parole for the maximum allowable years because of the unreasonable risk he still poses to society and ultimately to us.

My mother was beautiful, hardworking and strong. My dad and her, by themselves, built a house in the woods together. While she singlehandedly supported three kids she still found the time to take me to gymnastics, teach me manners, work ethic and kindness. Her kids were her whole world and she was the best mom in the world. She worked at the local Church office, just across the street from my Catholic school. And every day, after school my 9-year-old brother and I would walk across the street to meet my mom at her work, until one day we

arrived but she wasn't there. Scared and confused we waited while a friend of my mother's picked us up and took us to her house. At the end of the day with no family by our sides, the news was broken to us that our mother was never coming back. My brother broke into tears of hysteria and ran for the door. I watched them hold him down while he screamed over and over for my mother. A part of us children died that night along with my mother- the innocence and purity our mother tried so hard to protect in us. And our naivety that the world isn't the kind of happy place our mother had made it. While her friends made a line out the door to rub our backs and hold our hands, we cried ourselves to sleep that night and many nights thereafter. My mother was a caretaker and a giver. She would help everyone and anyone and ask for nothing in return. This is how Raul manipulated his way into her life. He needed help, he needed a place to stay, he had a steady job and was a man of faith, like her. Seemingly harmless, right? Except when my mom was fed up with Raul using her, he realized he had no power over her anymore. He wanted to take the control back, so he stalked her, broke into our home and scared us as children. These memories are vivid- awkward moments where we'd come home from my mother's second job to an unwelcome man eating our dinner. And I knew he was unwelcome by the surprise look on my mother's face. But she was not afraid of him because she wasn't afraid of anything.

On the fateful day, he took her life by force, he showed up unannounced at our doorstep before school. He convinced my mother to let him drive us to school so she could get ready for work because he had made her late. During the car ride, his cold eyes looked into ours and said he would not be seeing us anymore. Within hours of this moment, my mother was dead. He planned on going back and taking her life, which if this case would have had a trial 20 years ago, we would have proven. At the time of her death, my family was in shock and frozen in pain, that we couldn't even comprehend the importance of understanding how the criminal justice system works. While we were grasping the reality of our horror, Raul got a plea bargain- only 2nd degree murder, no trial, no investigation. He should have been charged with first degree murder from the beginning and if he had, we would not be forced after 12 years to come fight for him to stay in prison, and consequently several times after that. If he had gotten

1st degree murder and received the standard sentence of 25-years-to-life, then our first time at a parole hearing would be happening 5 years from now.

The horrifying details of her death are an example of the ferocity of a psychopath. He attacked a woman whom he supposedly “loved” from behind and put her in a choke hold. He viciously squeezed the breath out of her body, after he had just dropped her children off at school. He knew she was all we had. His deranged thinking worked him into an extreme rage that lasted not just long enough to hurt a woman but to choke her for several minutes, exerting such a force that her trachea was broken. The trachea takes an extreme amount of pressure to break and is a naturally reinforced part of the body. Its likened to the strength of a PVC pipe. In any of these final moments, he could have changed his mind but his damaged brain drove him to continue to squeeze her neck with a cruel force. Imagine those final moments of my mother’s life, full of terror, in which she had minutes to think of the young children she would be leaving behind and worry for their future. How long was the struggle before he managed to crush her trachea? For how long was she laying alive in the extreme pain gasping for air? Did his murdering eyes stared into her panicked ones as her body slowly lost oxygen? We may never know the true answers to these questions but we can imagine. My mother’s last moments were full of pain, terror, suffering and fear. The brutality of the murder lies in these final moments of her life when he left her broken but alive, laying on the floor to die while he fled like a coward. He is a truly evil man to make her suffer such a slow and painful death. If he felt a shred of remorse, he could have called an ambulance and saved her life. But instead of remorse, he fled, tried to commit suicide by taking a bunch of pills hoping to fall asleep at the wheel and crash, possibly injuring and killing others while he killed himself. The man is the most dangerous kind of killer. He does not need access to any weapons. And for this, I fear for my own life if he were to be released, as a single woman who’s fought against him for years, this man can find me and kill me. He can find my family and kill them. He can harm other women.

This man preys on women. I remind the parole board, of his admitted history and record of choking other women and being violent with them. It’s at least three women on record and possibly more as these types of crimes go largely unreported. We know of other women he’s

stalked and broken into their homes that are off record as well. Please deny his parole to protect other women he may meet in the real world. Please deny his parole to protect me. I understand that Raul has achieved many successes in prison. He obviously thrives in a controlled environment. But all the substance abuse courses he's taken in prison are meaningless to his rehabilitation. He was sober at the time he committed his crime and completely disregarded the value of my mother's life and ours. He didn't really have a substance abuse problem to begin with and is his way of cheating the judicial system. He focused on substance abuse treatment for the first 15 years of his sentence when this is not what his focus should have been. He had 15 years to reflect on his life crime but lacks the self-awareness to see where his true issues lie. See Raul's crime is not a product of his upbringing or his environment. It's a product of his own mental instability which shows itself in extreme relationship issues. His mental health is not an issue of the past but is ongoing. An example of this, is why his marriage in jail failed, which the representative from the DA's office, Craig Omura touches on. The same type of control and narcissism that he showed with his life crime as well as at the end of his marriage in 2014, that can potentially lead him to murder again. He has not yet had to face his psychological problems with women because he has only been with men in prison. I ask the board to take into consideration the words of Raul's own psychologist, Kristina Reynoso, PhD. which I will read to you. In 2012, she interviewed Raul for an Analysis Risk Potential Report. Her analysis is as follows,

“Mr. Higgins, he was a markedly self-absorbed man who put his needs above all else and expected everyone in his path to follow suit. He often resorted to violence to gain compliance, however, underneath, he was an extremely fragile man who became untangled by the slightest of insults or in the face of a threatened or real abandonment. After the victim had ended the relationship, and when she failed to comply with his demands, Mr. Higgins' ego was insulted to the point that he flew into an extreme rage response. Whatever coping mechanisms he may have employed in the past, were no longer effective, leaving him unable to suppress his retaliatory and murderous impulses. Further, his marked lack of empathy for anyone other than himself made it easier for him

to overcome any internal inhibition not to kill. While Mr. Higgins has demonstrated good behavioral control in prison, future acts of violence will likely occur, within the context of conflicted interpersonal relationships, in which he feels his ego is slighted and/or experiences a sense of abandonment.” (*Deputy Commissioner Stanton, pg. 76, Second Parole Hearing Transcripts*).

In other words, if you set him free he will murder again. It is this doctors job, hired by the state to help the board to predict if this murderer is likely to commit an offense again. The self-absorption that Dr. Reynoso elaborates on, feeds the supply of narcissism and lack of remorse within him. Since the first parole hearing, he had 13 years in jail to reflect on an apology to my family. But what we heard from him at both parole hearings has never been the apology of a normal person who understands the impact they’ve had on someone’s life. His apologies are short, hollow and heartless. I hope the board can recognize these normal human characteristics that he lacks in each parole hearing and recognizes the unreasonable risk he poses to society.

Your colleagues at the last parole hearing in 2014 found Raul unsuitable for parole for several reasons. Presiding Commissioner Richardson said,

“his reason for committing the offense, anger, in no way justifies his actions. We did find that he does possess a previous record of violence, at least the admissions thereof by way of police reports, of domestic violence and physically attacking women. Also, there's an unstable social history.” (*Presiding Commissioner Richardson, pg. 154, Second Parole Hearing Transcripts*).

The murderer cannot deal with the normal stressants of a relationship. The fit of rage that overcame him just because my mother refused to help him any further or have him in her life is not the actions of a normal healthy brain. His brain is damaged and he needs to stay in jail to protect the community.

When looking at the criteria to determine parole, the State of California as noted on the Board of Paroles website, considers two categories: suitability and unsuitability. I’ve included their criteria on the last page of my written testimony for the boards review. The seven factors

they list as suitability for parole, I will speak of first of which the killer falls very short of. The criteria are as follows:

1. Lack of significant history of violent crime- No. He has a reported record of at least 3 incidences of violence against women, which is the tip of an unreported iceberg as most of these domestic violence crimes largely go unreported.
2. Significant stress at the time of the crime- No, does not apply. He committed his crime in the early morning, after he had just driven me to school. He was calm and sober, not in the disarray of a person in stress. There were no abnormal stresses at this time to lead him to the crime.
3. Stable social history- No. As the last parole board found, his past of domestic violence and attacking women qualify him as having an unstable social history and I argue that this instability is not just his history but is also a factor of his current situation.
4. Remorse and understanding of the nature and the magnitude of his offense- No. This factor Raul fails horribly on because his brain is not a normal functioning brain. I have not witnessed true remorse or deep understanding at any of the parole hearings.
5. Realistic plans for release- Arguably the easiest out of all the criteria to achieve. It is my understanding that the board feels the murderer has suitable plans upon his release. Whatever suitable plans he has upon his release, he will leave out plans of future violence against women.
6. Present age reduces the probability of repeat- No, the killer is middle aged and healthy and is still a physical threat. He still has the potential to hurt more women with his hands alone.
7. Institutionalized behavior indicates an enhanced ability to function within the law upon release- No, because the majority of his time institutionalized was focused on treatment that was not a factor of his life crime.

These are the criteria for suitability of which the murderer may have but one. Now let's look at the State of California, Board of Parole criteria for unsuitability for parole. Of which all four applicable criteria make this murderer ineligible for parole. The four factors are as follows:

1. His offense was committed in an especially heinous, atrocious and cruel manner. Yes
2. Previous record of inflicting or attempting to inflict serious injury on a victim. YES
3. Unstable social history. YES
4. Lengthy history of severe mental problems related to the offense. YES

He sweeps the category for unsuitability for parole according to the state of California, board of parole. And hardly come close to achieving any of the suitability requirements. This is not a prisoner fit for release.

It is my understanding that the California criminal justice system focuses on incarceration as- 1. punishment, 2. rehabilitation and 3. justice. His punishment does not fit his crime because he would have received a longer sentence if given 1st degree murder. He is not rehabilitated for his rehabilitation focus is not acceptable. I can also argue that the brain of a psychopath cannot be rehabilitated. Then there is justice those who are affected by the crime. Justice can never truly be won for us because he is breathing while my mother is not. True justice would be the death penalty which is not possible now but at the very minimum we can receive justice by him serving the rest of his life in prison- which is still a possibility.

We've had several doctors, therapists, and loved ones write statements since 2012 explaining the effects of severe trauma has had on our lives and I hope the parole board had a chance to read them all. It pains me to even put these words to paper, to study the murder of my own mother and even worse study the man who killed her in hopes I can prove to you that his freedom is dangerous. I have studied the transcripts of each parole hearing so that the information I say to you today can be as accurate as possible.

It was just Mother's Day a few weeks ago and while everyone was telling their moms they love them, we were reminded of the hole in our hearts where our mom should be. This constant suffering is highlighted every holiday like Mother's Days, Christmas and our birthdays but is a horror endured daily. We are constantly reminded through casual conversations or innocent tv shows that we are lacking a deep void in our hearts. We deal with the loss of our mother and the fact she was brutally and wrongfully taken from us several times a day. Additionally, there's is a deep sense of shame that comes from living in foster homes, being a warden of the state,

being shuffled from family member to family member as essentially from being an orphan. We are unable to speak of our mother freely and share her light because it is overshadowed by the sadness of her death. I was robbed of the moments between mother and daughter. I was robbed of guidance, support and love and this affects me every day of my life.

All five of the victim's children stand before you with the rest of our family as testimony of my mother's enduring love, kindness and grace. We would not be here, torturing ourselves as we listen to the details of her death by the man who killed her, if my mother's love for us had not been so fierce and abundant. At least in our suffering we've had some solace, that our worst nightmare is contained behind bars. If released, we would live in fear, because we know first-hand what he's capable of. We know if he is released, we are not safe. The last parole board found that, "Mr. Higgins committed the offense in a gruesome, heinous, vicious, brutal manner" (*Presiding Commissioner Richardson, pg. 154, Second Parole Hearing Transcripts*), and I hope this parole board today has the same findings. My beautiful mother's life was taken from her family and her community. Please give us the justice we deserve and deny her murderer parole. Thank you for your time and thank you for your consideration in this matter. I appreciate the ability to be able to come before you and speak like this.

