

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

**ARTHUR COPE
W35180**

TYPE OF HEARING: Review Hearing

DATE OF HEARING: May 8, 2018

DATE OF DECISION: January 17, 2019

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Lucy Soto-Abbe

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, criminal record, institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing or in written submissions to the Board, we conclude that the inmate is a suitable candidate for parole.¹ Parole is granted to a Long Term Residential Program (Brooke House) with special conditions.

I. STATEMENT OF THE CASE

On October 22, 1975, Arthur Cope pleaded guilty to the second-degree murder of Richard Ribeiro and was sentenced to life imprisonment with the possibility of parole. On that same date, Mr. Cope was also convicted of two counts of armed robbery and was sentenced to two concurrent sentences of 5 to 8 years imprisonment.

On February 8, 1974, Arthur Cope, Barbara Burns, and an unidentified male accomplice (referred to as "Ronnie"), arrived at the New Bedford apartment of Christine Divinski, an acquaintance of Richard Ribeiro. Mr. Cope and "Ronnie" had Ms. Divinski call Mr. Ribeiro to come to her apartment. Mr. Cope and his accomplices had planned to rob him. When Mr. Ribeiro arrived (along with another man, Edwin Texeira), he was shot by "Ronnie," sustaining a

¹ Six Board Members voted to reserve parole to a Long Term Residential Program. One Board Member voted to deny parole with a review hearing in 3 years.

gunshot wound to his head. Mr. Ribeiro was transported to the hospital, where he died shortly thereafter. Mr. Cope and Ms. Burns fled to New York City, residing there until their apprehension on June 5, 1975. "Ronnie" also fled, but his whereabouts were unknown when Mr. Cope was arrested. "Ronnie" was never apprehended.

II. PAROLE HEARING ON MAY 8, 2018

Arthur Cope, now 72-years-old, appeared before the Parole Board on May 8, 2018, for a review hearing. He was not represented by counsel and declined to provide an opening statement. Mr. Cope had been denied parole after his review hearing in 2014. Mr. Cope began serving his life sentence in 1975 and had been initially granted parole in 1990. After a parole failure, he was again granted parole in 2004. Mr. Cope has been re-incarcerated since his parole revocation in 2011.

Mr. Cope told the Board that, since his re-incarceration, he has been sober. He stated that he has participated in various programming, including Correctional Recovery Academy ("CRA"), Violence Reduction, and Criminal Thinking. He learned about the issues surrounding his substance abuse in CRA and Narcotics Anonymous ("NA"). Mr. Cope had been participating in counseling, but stated that he ceased treatment because his clinician indicated that it was no longer necessary. Mr. Cope also told the Board that he takes medication to address a number of medical issues. He estimated that he has been admitted to the hospital at least five times in the past year.

The Board discussed Mr. Cope's prior history on parole supervision. Mr. Cope stated that he was abusing drugs during his 1990 parole supervision. He committed an armed robbery and larceny, which led to his return to custody. He was paroled again in 2004, during which time Mr. Cope stated that he was "selling pills." Mr. Cope told the Board that his prior parole failures were a result of substance abuse and believes that, had he not abused drugs, he would have been a "good candidate for parole." Mr. Cope stated that he has addressed his substance abuse issues and would not offend again, if released on parole supervision. He said that he currently participates in Narcotics Anonymous/Alcoholics Anonymous ("AA"/"NA"), attending five times per week. He explained that he would like to have a chance at a relationship with his daughter and granddaughter. Although he is in poor health, Mr. Cope said that he would like a chance to "do something to make [them] proud."

Bristol County Assistant District Attorney Karen O'Sullivan testified in opposition to parole.

III. DECISION

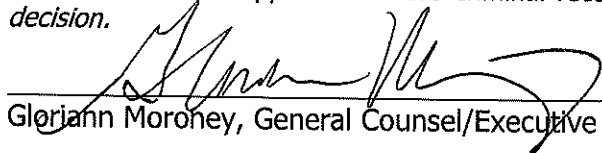
The Board is of the opinion that re-incarceration has served its purpose. Mr. Cope has been re-incarcerated for 7 years. Since his return, he has fully invested in his rehabilitation and has strong family support. Mr. Cope has a history of addiction and is motivated to remain sober. He has a positive reentry plan.

The applicable standard used by the Board to assess a candidate for parole is: "Parole 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." 120 C.M.R. 300.04. In forming this opinion, the Board has taken consideration Mr. Cope's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk

and needs assessment and whether risk reduction could effectively minimize Mr. Cope's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Cope's case, the Board is of the opinion that Arthur Cope merits parole at this time. Parole is granted to a Long Term Residential Program (Brooke House) with special conditions.

SPECIAL CONDITIONS: Waive work for LTRP; Must be home between 10:00 p.m. and 6:00 a.m.; Electronic monitoring at P.O.'s discretion; Must take prescribed medication; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact with victim(s) [named family]; Must have mental health evaluation and must comply with recommended treatment plan; Long term residential treatment program; AA/NA at least 3 times/week.

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.



Glorjann Moroney, General Counsel/Executive Director

1/17/19
Date