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Paul M. Treseler
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DECISION

IN THE MATTER OF

ARTHUR CORBETT
W38956

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **March 1, 2016**

DATE OF DECISION: **August 8, 2016**

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, 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 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 by unanimous vote that the inmate is a suitable candidate for parole. Parole is granted with special conditions.

I. STATEMENT OF THE CASE

On May 19, 1982, in Suffolk Superior Court, a jury convicted Arthur Corbett and one of his co-defendants, Andrew Millyan, in the first degree murder of Dana Hill on the theory of joint enterprise.¹ On May 5, 1986, following a motion for reconsideration, Mr. Corbett's sentence was reduced to murder in the second degree.

On the evening of September 21, 1981, Mr. Corbett drove Mr. Millyan and Robert Cobb to a lounge in Revere Beach. (Mr. Millyan's friend had been stabbed outside the lounge the day before by members of a motorcycle gang, and the attackers told Mr. Millyan's friend that Mr. Millyan would be next.) While carrying a loaded shotgun, Mr. Millyan entered the lounge with Mr. Cobb in search of members of the motorcycle gang. Mr. Corbett waited in the car, which was parked in an alley next to the lounge. A few minutes after entering the lounge, Mr. Millyan fired the shotgun toward the rear of the bar. The shotgun shell contained almost 300 pellets.

¹ Mr. Corbett's other co-defendant, Robert Cobb, was convicted of murder in the second degree.

At least 50 pellets from the blast struck Dana Hill in the face and skull. He died three days later. Mr. Hill had been playing pool while waiting for his girlfriend (a barmaid at the lounge). He had not been a member of any motorcycle gang.

After shooting Mr. Hill, Mr. Millyan pumped another round into the chamber. Mr. Cobb then grabbed Mr. Millyan's arm and said, "Come on, let's go." Once the two men were in the car, Mr. Corbett sped away. While fleeing, the men drove over a bridge and Mr. Millyan threw the shotgun into the water. Shortly after, the police stopped the car and arrested the three men.

II. PAROLE HEARING ON MARCH 1, 2016

Mr. Corbett received a positive parole vote in December 1999. After completing a gradual step-down, he was released into the community in February 2002. However, his parole was revoked in 2010, after he was charged with driving under the influence. Mr. Corbett appeared before the Parole Board for review hearings in September 2010 and March 2013, both of which resulted in the denial of parole.

Mr. Corbett, now 58-years-old, appeared before the Parole Board on March 1, 2016 for another review hearing. In his opening statement to the Board, Mr. Corbett expressed remorse for the murder of Mr. Hill. He also apologized for his actions that resulted in his re-incarceration, and thanked his family and friends for their continued support. During the course of the hearing, Mr. Corbett discussed the events that led to his re-incarceration. When he was released in 2002, Mr. Corbett had been sober for 16 years. During his parole, Mr. Corbett attended Alcoholics Anonymous (AA) meetings, but said that he "never became immersed" in the program. In 2004, Mr. Corbett was receiving drug treatments for a disease and then became depressed. Mr. Corbett said that his problems began when he had a drink during a wake for one of his friends. While on parole, he also tested positive for opioids. At the time, Mr. Corbett said that he had consumed a lot of poppy seeds and mistakenly took an Oxycodone pill. He now admits that he lied about accidentally taking the pill. Although he had eaten some poppy seeds at around that time, he had intentionally consumed the Oxycodone pill. Mr. Corbett said that he took the pill out of "arrogance," but has never struggled with drugs. He believes this was part of his "alcoholic behavior." Parole staff gave Mr. Corbett a warning and additional supervision conditions, and he received enhanced treatment.

In 2005, Mr. Corbett disclosed to his parole officer that he had again consumed alcohol. His parole officer arranged for him to be sent to a treatment program. After being sober for three years, Mr. Corbett consumed alcohol again in 2008 and admitted that he had driven a vehicle while under the influence. He had been prescribed pain killers for a back injury in 2008 and, since he was only taking them as prescribed, he did not believe there was a problem. He eventually became dependent on the drugs and when the treatment ended (and he no longer had a prescription for pain medication), Mr. Corbett began to self-medicate with alcohol. Mr. Corbett continued to struggle with his alcoholism while on parole. Mr. Corbett relapsed again in October 2009. He subsequently got into a car accident in 2010, while operating under the influence, and was placed under arrest.

After the "shock" of being returned to prison, Mr. Corbett realized that help was necessary for his alcoholism. Prior to his re-incarceration, Mr. Corbett believed that he could combat his addiction without any assistance. Mr. Corbett said that he had been "too arrogant,"

and would not allow himself to believe that something like that could "defeat" him. He now realizes that he was wrong; his alcoholism is an acute problem and not something that he can handle on his own. The Board expressed concern regarding the possibility that Mr. Corbett may relapse again, and questioned what he would do if that were to happen. Mr. Corbett responded by saying that he would seek help at the first signs of trouble, before it got to the point where he would consume alcohol. He and his wife have a plan in place if something like that were to occur.

Mr. Corbett has also come to realize that his major depression is a chronic condition and is now receiving treatment. Prior to his re-incarceration, Mr. Corbett would only treat his depression until he no longer felt depressed. He had received anti-depressants from his primary care physician, but was not being treated by a psychiatrist. Mr. Corbett has found a medication that successfully treats his depression. He now realizes that he must take his anti-depressant medication daily, and will need to do so for the rest of his life. Since his return to prison, Mr. Corbett has participated in multiple programs, including Addiction Psychotherapy and Relapse Prevention. He is on the wait list for the Correctional Recovery Academy. He participates in multiple AA and NA (Narcotics Anonymous) meetings each week, including AA Big Book, which he facilitates. Mr. Corbett also volunteers in the law library three days a week.

The Board considered oral testimony from Mr. Corbett's wife, his AA sponsor, and another member of AA, all of whom expressed support for Mr. Corbett's parole. The Board did not receive testimony in opposition to Mr. Corbett being granted parole.

III. DECISION

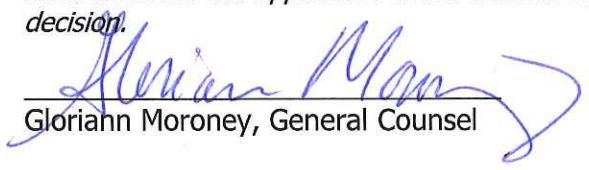
The Board is of the opinion that Mr. Corbett has completed the necessary institutional programming, as well as mental health and substance abuse treatment, needed to prepare him for his eventual return to the community. Mr. Corbett seems committed to his sobriety and to maintaining his positive mental health. He now appears insightful of his decisions that led to his parole revocation. The Board is of the opinion that Mr. Corbett has demonstrated rehabilitative progress and, consequently, has acquired the tools and skills that will assist him in a successful transition from incarceration. In forming this opinion, the Board has taken into consideration Mr. Corbett'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 programs could effectively minimize Mr. Corbett's risk of recidivism.

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. Applying that appropriately high standard here, it is the unanimous opinion of the Board that Mr. Corbett is a suitable candidate for parole to a long term residential program with special conditions.

SPECIAL CONDITIONS: Waive work for Long Term Residential Program; Must be at home between 10 p.m. and 6 a.m.; Supervise for drugs and liquor abstinence, testing in accordance with Agency policy; Report to assigned MA Parole Office on day of release; No contact

w/victim's family; Must have mental health counseling for anxiety and depression; Long Term Residential Treatment; Attend AA at least three times a week; Mandatory sponsor.

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.


Gloriann Moroney, General Counsel


Date