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*The Commonwealth of Massachusetts*  
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**Paul M. Treseler**  
Chairman

**Michael J. Callahan**  
Executive Director

**DECISION**

**IN THE MATTER OF**

**CLARENCE CARTER**

**W43586**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** November 29, 2016

**DATE OF DECISION:** June 7, 2017

**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 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 not a suitable candidate for parole. Parole is denied with a review in five years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On May 4, 1987, in Hampden Superior Court, Clarence Carter pled guilty to five counts of second-degree murder for the deaths of Renee McCoy (age 16), her daughter Cassandra McCoy (age 22 months), her nephew Joseph Blanks (age 3), her brother Gerald McCoy (age 19), and her mother Barbara McCoy (age 39). He was sentenced to five concurrent life sentences with the possibility of parole.<sup>1</sup>

On December 2, 1985, 17-year-old Clarence Carter retaliated against his ex-girlfriend, Renee McCoy, by breaking into her house in the middle of the night and intentionally lighting the house on fire, despite knowing that other adults and children were asleep at the time. At around 2:00 a.m., Mr. Carter entered the McCoy home through a basement window while carrying a can of gasoline. He proceeded to the first floor, where he poured gasoline throughout the living room, front door area, and by the stairs. He then lit a blanket with a

<sup>1</sup> He was also sentenced to 14-15 years for arson and burglary, to run concurrent with the life sentences. The arson and burglary sentences are now expired.



match and dropped the flaming blanket onto the gasoline soaked floor. Mr. Carter ran from the house as the fire spread. The fire ended the lives of the five victims. Three days later, on December 5, 1985, Mr. Carter was arrested by Springfield police.

## **II. PAROLE HEARING ON NOVEMBER 29, 2016**

Clarence Carter, now 48-years-old, appeared before the Parole Board for a review hearing and was represented by Attorney David Grimaldi. Mr. Carter had been denied parole after his initial hearing in 2001 and after his review hearings in 2006 and 2011. In his opening statement to the Board, Mr. Carter said that he takes full responsibility for his actions that took the lives of five innocent people. He told the Board that since his last hearing, he has participated in programming, including Alternatives to Violence, Jericho Circle, and Restorative Justice. He explained that he is no longer "short-changing" his crime, since he talks about it and engages in programming. He attends AA/NA once a week and is steadily employed in the institution.

In describing the night of the murder, Mr. Carter explained that he and Ms. McCoy had been dating for about 18 months, but (earlier that evening) Ms. McCoy had ended their relationship. He denied any prior violence in their relationship. He told the Board that he was hurt and angry, so he returned to her house a little while later in order to talk to her about why she wanted to end the relationship. However, when he drove to her house, he saw her kissing another man. Despite witness statements to the contrary, Mr. Carter maintained that he was never hiding in the bushes outside Ms. McCoy's house, and he never threatened to harm the man he saw her with. He told the Board that after seeing Ms. McCoy with another man, he was hurt and angry. He left and went to his sister's house to drink, smoke marijuana, and take a valium. He then filled a gas can and returned to the McCoy house at around 2:00 am. Mr. Carter acknowledged that he was familiar with the layout of the house, and that he knew people were sleeping inside, when he poured gasoline over the first floor and lit the fire.

Mr. Carter told the Board that he did not plan to kill anyone. He explained that he only set the fire to destroy some of Ms. McCoy's items, in order to comfort her and get her back as his girlfriend. He surmised that he lit the fire because he was immature and not able to deal with the pain and hurt from Ms. McCoy ending their relationship. Mr. Carter stated that despite what his intentions were, he knows that he set a fire that killed five people. One Board Member pointed out that at his initial hearing in 2001, Mr. Carter told the Board that he did not set the fire, nor did he know what happened at the McCoy house that night. At his next hearing in 2006, however, he admitted to starting the fire and took responsibility for killing five people. The Board Member noted that Mr. Carter has been incarcerated for over 30 years, but has only admitted responsibility for the crime in the past 11 years. One Board Member read Mr. Carter's sworn statement that he gave to police when he was arrested. The Board Member then expressed his concern that much of what Mr. Carter told the Board at this hearing contradicts what he told police shortly after the fire.

The Board also expressed concern that Mr. Carter was minimizing his actions and intentions in setting the fire that killed the McCoy family. Mr. Carter was questioned about his 2013 appeal to the Board regarding the denial of parole after his 2011 hearing. The Board noted that his appeal read with a lack of empathy and remorse and, further, conveyed a strong conviction that he was unfairly incarcerated. Mr. Carter responded by saying that he had



another inmate type his appeal for him and that he did not read it carefully before he signed it and submitted it to the Board.

The Board considered testimony in support of parole from Mr. Carter's friend and his niece. In addition, Kim Mortimer, a mental health clinician for the Committee for Public Counsel Services, provided oral testimony in support of parole and submitted a written report of her evaluation of Mr. Carter for the Board's consideration. Dr. Frank DiCataldo, a forensic psychologist, also presented his findings from an evaluation of Mr. Carter and submitted his written report for the Board's consideration. Edward McCoy (whose wife, children, and grandchildren were killed in the fire) spoke in opposition to parole. Hampden County Assistant District Attorney Howard Safford also spoke in opposition to parole.

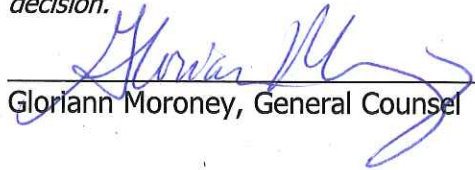
### **III. DECISION**

The Board is of the unanimous opinion that Mr. Carter has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Carter murdered five innocent people, and he continues to minimize his culpability. He has yet to address the causative factors of his crime.

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 the context of an offender convicted of first or second degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015); See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015).

In forming this opinion, the Board has also taken into consideration Mr. Carter's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Carter's risk of recidivism. After applying the appropriately high standard to the circumstances of Mr. Carter's case, the Board is of the unanimous opinion that Clarence Carter is not a suitable candidate for parole. Mr. Carter's next review before the Board will take place in five years from the date of this hearing.

*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

6/7/17  
Date