



*The Commonwealth of Massachusetts
Executive Office of Public Safety and Security*



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

CLARENCE CARTER

W43586

TYPE OF HEARING: Review Hearing
DATE OF HEARING: September 20, 2022
DATE OF DECISION: January 12, 2023

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On May 4, 1987, in Hampden Superior Court, Clarence Carter pleaded 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.¹

Mr. Carter appeared before the Parole Board for a review hearing on September 20, 2022. He 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, 2011, and 2016. He postponed his 2021 review hearing. The entire video recording of Mr. Carter's September 20, 2022, hearing is fully incorporated by reference to the Board's decision.

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.

Reserve to LTRP after six months in lower security. On December 2, 1985, 17-year-old Mr. Carter started a house fire at the home of his ex-girlfriend which resulted in the deaths of five

¹ 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.

people: 16-year-old Renee McCoy, 22-month-old Cassandra McCoy, 3-year-old Joseph Blanks, 19-year-old Gerald McCoy and 39-year-old Barbara McCoy. The Board notes he was a juvenile at the time of the offense and considered the expert evaluation of Dr. DiCataldo. At the hearing, Mr. Carter recognized the domestic violence aspect of the offense and noted that given his age and immaturity, he did not know how to handle the breakdown of this romantic relationship. Mr. Carter is low risk for violence according to risk/needs assessments. He has incorporated the Board's recommendations to pursue programming to address empathy and violence by the completion of Restorative Justice, Emotional Awareness, and Alternatives to Violence. He has committed to independent counseling and has maintained sobriety throughout his incarceration. He has maintained employment and served as a mentor in the institution. He presented a thoughtful parole plan that includes collaboration with a social worker. The structure of an LTRP will aid in his reentry.

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 of the offense, 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).

The factors considered by the Board include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.* The Board also recognizes the petitioner's right to be represented by counsel during his appearance before the Board. *Id.* at 20-24. In forming this opinion, the Board has 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 has also considered a risk and needs assessment, and whether risk reduction programs could effectively minimize Mr. Carter's risk of recidivism. After applying this standard to the circumstances of Mr. Carter's case, the Board is of the unanimous opinion that Clarence Carter is rehabilitated and, therefore, merits parole at this time.

Special Conditions: Reserve to LTRP; Waive work for program; Curfew – Must be at home between 10pm and 6am; ELMO-electronic monitoring; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact with victim's family; Must have substance abuse evaluation and follow recommendations; Counseling.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.



Pamela Murphy, General Counsel

1/12/23
Date