

Maura T. Healey
Governor

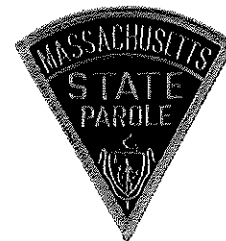
Kimberley Driscoll
Lieutenant Governor

Terrence M. Reidy
Secretary

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760



Tina M. Hurley
Chair

Lian Hogan
Executive Director

RECORD OF DECISION

IN THE MATTER OF

CORIE STOKES
W69601

TYPE OF HEARING: Review Hearing

DATE OF HEARING: September 19, 2024

DATE OF DECISION: January 7, 2025

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, Rafael Ortiz

VOTE: Parole is denied with a review in one year from the date of the hearing.¹

PROCEDURAL HISTORY: On June 12, 2001, following a jury trial in Bristol Superior Court, Corie Stokes was convicted of first-degree murder and sentenced to life in prison without the possibility of parole. Mr. Stokes was also found guilty of armed home invasion, for which he was sentenced to a concurrent term of 20-25 years, and unlawful possession of a firearm, for which he was sentenced to a concurrent term of 1-2 years. A charge of conspiracy to commit armed robbery was filed. On December 24, 2013, the Supreme Judicial Court issued a decision in *Diatchenko v. District Attorney for Suffolk District & Others*, 466 Mass. 655 (2013), in which the Court determined that the statutory provisions mandating life without the possibility of parole are invalid as applied to juveniles convicted of first-degree murder and decided that such juvenile offenders must be given a parole hearing. On September 10, 2014, Mr. Stokes' life sentence was revised to life with the possibility of parole, *nunc pro tunc*, to June 12, 2001. On the same date, Mr. Stokes' armed home invasion sentence was revised to a term of 10-15 years, *nunc pro tunc*, to June 12, 2001, to be served concurrently with his life sentence. Mr. Stokes was 17-years-old at the time of the offenses.

Mr. Stokes was first paroled in 2022, but was returned to custody for violating the terms of his parole in January 2023. Mr. Stokes was re-paroled in December 2023, but was again returned to custody for violating the terms of his parole in January 2024. Mr. Stokes, now 42-

¹ One Board Member voted to parole to CRJ or LTRP.

years-old, appeared before the Board for a review hearing on September 19, 2024. He was represented by Attorneys Seth Orkand, Andrew Dulberg, Rachel Gargiulo, and Kerry Matlack. The entire video recording of Mr. Stokes' September 19, 2024, hearing is hereby incorporated by reference into this decision.

STATEMENT OF THE CASE: On August 9, 1999, Mr. Stokes and a co-defendant entered the home of Cecil Smith in Fall River. The two men were armed with firearms and intended to rob Mr. Smith. Mr. Smith was fatally shot during the robbery. A witness later testified that Mr. Stokes admitted to being the shooter and hiding the gun. Two weapons were located near the scene of the crime.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an incarcerated individual's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the incarcerated individual's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

In the context of an offender who was sentenced to life in prison who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed the offense, 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 in the case of a juvenile offender 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.

DECISION OF THE BOARD: Mr. Stokes appeared before the Board after a second return to custody since an initial positive parole decision in 2021, and a return to the community in 2022. After his prior revocation and subsequent parole, his second parole violation was within a month. Mr. Stokes continues to repeat problematic conduct. He displays a lack of insight into the issues with his behavior. He has demonstrated a lack of candor.

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.


Tina M. Hurley, Chair

Date 1/7/25