

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Terrence M. Reidy
Secretary

Telephone: (508)-650-4500

Facsimile: (508)-650-4599



Tina M. Hurley
Chair

Daniel Nakamoto
Acting Executive Director

RECORD OF DECISION

IN THE MATTER OF

CORIE STOKES
W69601

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **August 3, 2023**

DATE OF DECISION: **November 8, 2023**

PARTICIPATING BOARD MEMBERS: Tina M. Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse

STATEMENT OF THE CASE: 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.

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.

PAROLE HEARING: Corie Stokes appeared before the Board for a review hearing on August 3, 2023. He was represented by Attorneys Seth Orkand, Andrew Dulberg, Rachel Gargiulo, and Renna Ayyash. Mr. Stokes postponed his originally scheduled initial hearing in 2014. Parole was denied after his initial hearing in 2019. Parole was granted after a review hearing in 2021. Mr. Stokes was released to parole supervision on June 15, 2022, but was returned to custody following a violation on January 17, 2023. The entire video recording of Mr. Stokes' August 3, 2023 hearing is fully incorporated by reference into the Board's decision.

DECISION OF THE BOARD: 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). 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.

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 at this time. Parole is granted to CRJ for at least 90 days or to Rocky Hill re-entry.

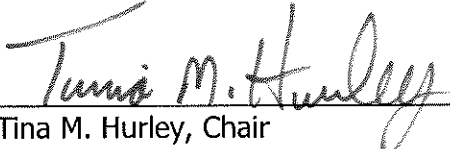
In forming this opinion, the Board has taken into consideration Mr. Stokes' institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Stokes' risk of recidivism. After applying this standard to the circumstances of Mr. Stokes' case, the Board is of the unanimous opinion that Mr. Stokes is rehabilitated and, therefore, merits parole at this time, subject to special conditions.

Mr. Stokes was before the Board for a review hearing. Mr. Stokes was released to parole supervision on 6/15/2022. He was initially released to the Dismas House. While he did receive several graduated sanctions, his overall adjustment was good. On 1/16/2023, his Parole Officer learned that a warrant had been issued by Haverhill Police Department following a complaint that he refused to return a vehicle to the owner. On 1/16/2023, the Massachusetts State Police arrested Mr. Stokes. He was subsequently charged with larceny of a motor vehicle and receiving a stolen motor vehicle. At the time of his arrest, it is also noted that a person with a criminal record was also in the vehicle. Mr. Stokes was returned to custody on 1/17/2023. Both charges

have since been dismissed. Since returning to custody, Mr. Stokes resumed programming and addressed the issues that contributed to his return to custody. In the hearing, the Board acknowledged that some of his struggles on parole were to be expected, hence his mental health counseling was stipulated. The Board, however, addressed the interpersonal issues, failure to be honest with parole, and relationship issues as being paramount to his return to custody. The Board also addressed concerns with social media posts that were in contrast to the expectations of positive citizenship and good character. Mr. Stokes was forthcoming, humble, and agreed with recommendations provided to him. Mr. Stokes will again benefit from a transition through a re-entry program and to re-engage in counseling.

Special Conditions: Waive work when program allows; Curfew - must be at home between 10PM and 6AM; Electronic monitoring; Must take prescribed medication; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Must report to assigned MA Parole Office on day of release; No contact or association with [name]; No contact with victim's family; Must have mental health counseling for adjustment, relationship issues (family), and anxiety disorder; Residential Program – CRJ for at least 90 days; AA/NA at least 3 times per week; Mandatory sign releases of information.

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

11/08/2023

Date