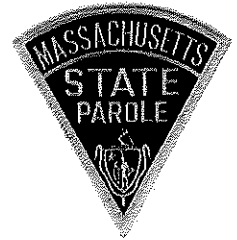


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

DERRICK SUTTON

W56168

TYPE OF HEARING: Review Hearing

DATE OF HEARING: April 19, 2018

DATE OF DECISION: January 9, 2019

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa, 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 to a long term residential program with special conditions.

I. STATEMENT OF THE CASE

On March 29, 1994, in Suffolk Superior Court, Derrick Sutton pleaded guilty to the second degree murder of Darryl Dennis and was sentenced to life in prison with the possibility of parole. On that same date, Mr. Sutton pleaded guilty to the unlawful possession of a firearm and received a 3-5 year concurrent sentence.

On the afternoon of November 15, 1993, several individuals, including Derrick Sutton (age 19) and Darryl Dennis were involved in an argument. That evening, Mr. Sutton shot Mr. Dennis near the Madison Park ball field in Boston. Witnesses told investigating officers that after (twice) shooting Mr. Dennis in the back, Mr. Sutton leaned over and took a gold chain from around his neck. Mr. Sutton then shot Mr. Dennis a third time, in the head. Mr. Sutton turned himself into the police about a week later.

II. PAROLE HEARING ON April 19, 2018

Derrick Sutton, now 43-years-old, appeared before the Parole Board on April 19, 2018 for a review hearing. He was not represented by counsel. Mr. Sutton was denied parole after his initial hearing in 2008, but was granted parole after his review hearing in 2013. On May 2, 2017, however, Mr. Sutton was returned to custody after police were called to his residence about a domestic disturbance. It was determined that he had been drinking. On September 12, 2017, Mr. Sutton's parole was revoked at a Final Revocation hearing. He was put on the next available list for a review hearing.

In his opening statement to the Board, Mr. Sutton apologized for violating the conditions of his parole. The Board questioned Mr. Sutton as to the challenges he faced during his 28 months on parole. Mr. Sutton said that he got into a public argument over fees with a staff member at the sober house where he was living. He apologized to the staff member and recognized that public arguments can lead to name calling, disrespect, and other problems. Mr. Sutton said that after the argument, he saw an anger management clinician (once a week) in addition to his transitional counselor. Mr. Sutton said that he also got into trouble for talking with other parolees on Facebook. He thought that since the parolees were part of a re-entry program, he was allowed to talk with them. He said that he immediately stopped, once he learned that this was not the case. Finally, Mr. Sutton said he got into trouble for arguing with one of his girlfriends, when she found out that he had other girlfriends. Mr. Sutton noted that he was the one who had called the police on that occasion. He stated that (contrary to the police report) he had not been drinking.

Board Members questioned Mr. Sutton as to what went well for him on parole. Mr. Sutton said that, although he "stumbled," he was able to meet his parole obligations: he was working 60 or more hours a week in downtown Boston as an ambassador, he was living drug and alcohol-free in a sober house, and he was volunteering at high schools and the Department of Youth Services. Additionally, Mr. Sutton said he was taking care of his sick mother. When questioned about the murder of Darryl Dennis, Mr. Sutton said it scared him that he was capable of that level of violence. Mr. Sutton stated that when he murdered Mr. Dennis, he was acting on a slew of emotions: anger, fear, and embarrassment. He told the Board that he has worked hard not to let his emotions override his rational thinking. The Board noted that Mr. Sutton had no disciplinary reports since his return to prison. Mr. Sutton said that he attends Alcoholics Anonymous weekly and is involved in the Group Maintenance Program (GMP). He said that he is on a waitlist for employment.

Mr. Sutton told the Board that if he were re-paroled, he could go back to living at the sober house and could have his job back as an ambassador. He would continue to participate in transitional counseling, go to church, and attend Alcoholics Anonymous meetings. Mr. Sutton asked that participation in Massachusetts Community Outreach Initiative (MCOI) be a part of his conditions of parole. Eventually, Mr. Sutton would like to live with his mother. He would continue to work on becoming a recovery coach and hopes to earn a college degree.

Mr. Sutton's mother testified in support of parole. The Suffolk County District Attorney's Office submitted a letter of opposition. Boston Police Commissioner William Evans submitted a letter of opposition, as well.

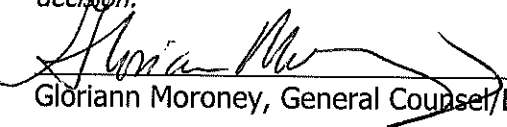
III. DECISION

The Board is of the opinion that Derrick Sutton has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society. Mr. Sutton is granted a reserve to a Long Term Residential Program (LTRP). Re-incarceration has served its purpose. He has availed himself of relevant programming to address the factors that led to his return to custody.

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 forming this opinion, the Board has taken into consideration Mr. Sutton'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. Sutton's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Sutton's case, the Board is of the unanimous opinion that Derek Sutton merits parole at this time. Parole is granted to a long term residential program with special conditions.

SPECIAL CONDITIONS: Waive work for long term residential program; Must be at home between 10pm and 6am; Electronic monitoring – GPS; Supervise for drugs, testing in accordance with agency policy; Supervise for alcohol abstinence, testing in accordance with agency policy; Report to assigned Massachusetts Parole Office on day of release; No contact with victim's family; Must have one on one mental health counseling for substance abuse; Long Term Residential Treatment; Alcoholics Anonymous at least three times/week.

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/Executive Director



Date