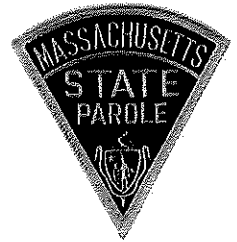


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

EMMETT SNOW

W47116

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 9, 2019

DATE OF DECISION: May 19, 2020

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa

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 the 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 that the inmate is not a suitable candidate for parole.¹ Parole is denied with a review scheduled in two years from the date of the hearing.

I. STATEMENT OF THE CASE

On September 28, 1989, after a jury trial in Suffolk Superior Court, Emmett Snow was convicted of second-degree murder in the death of Richard Bailey. He was sentenced to serve life in prison with the possibility of parole.

On the evening of August 27, 1988, 18-year-old Emmett Snow murdered 16-year-old Richard Bailey (also known as "Poyo"). Mr. Bailey had engaged in a fight with a friend of Mr. Snow's on the previous night. On the night of the murder, as Mr. Bailey and about seven of his friends were sitting on a fence in the Warren Gardens housing complex, they saw 10 to 15 young men walking toward them, armed with sticks, canes, and bats. Mr. Snow was walking slightly ahead of the others. When Mr. Bailey and his friends started to run, Mr. Snow's group gave

¹ Two Board Members voted to grant parole.

chase. Mr. Snow reached Mr. Bailey, and the two began to fight. Eventually, after Mr. Snow tripped him, Mr. Bailey fell to the ground. Then, about five men descended upon Mr. Bailey and began to beat him. One of the men stabbed Mr. Bailey. One witness claimed that Mr. Snow had given the man the knife, told him to stab Mr. Bailey, and then twisted the knife and pulled it from his chest. Another witness claimed that Mr. Snow yelled, "I got Poyo" after the stabbing. In the immediate aftermath of the stabbing, Mr. Bailey reportedly said, "Get Emmett, Emmett's the one who stabbed me." Mr. Bailey died later that evening from a stab wound to the heart.

Prior to this incident, on March 7, 1987, Mr. Snow was involved in a knife fight with his friend George "Skip" Brewington. Both boys had knives. Mr. Snow stabbed Skip Brewington to death. He was found delinquent of manslaughter and placed on probation.

II. PAROLE HEARING ON JULY 9, 2019

Mr. Snow, now 49-years-old, appeared before the Parole Board on July 9, 2019, for a review hearing. He was not represented by counsel. After an initial hearing in 2003, Mr. Snow was paroled in 2004, after completing six months in minimum security. He violated parole in 2006, however, after he was arrested for crimes involving a credit card scheme. Mr. Snow was convicted of these crimes and served approximately 11 months at Plymouth House of Correction. After he was discharged from that sentence, Mr. Snow was transferred to MCI-Concord to address his parole violation. Mr. Snow's parole was revoked in 2007. After receiving a positive parole vote in late 2007, he was paroled to his uncle's house. His parole was provisionally revoked in January 2008, after Boston police received a report in which Mr. Snow was alleged to have made threats to a woman. He was not charged with any offense, and the revocation was not affirmed. He was arrested in late 2008 for possession of heroin. His charges were continued without a finding, and his parole was subsequently revoked in 2009. Later in 2009, Mr. Snow was granted parole after a year in lower security. His parole was rescinded in 2011, after he incurred a series of disciplinary reports. He was denied parole after his 2012 hearing. Mr. Snow was granted parole after his 2017 hearing, but his parole was rescinded in 2018, after a fight with another inmate. He was placed on the next available list.

In his opening statement to the Board, Mr. Snow apologized to the family of Mr. Bailey and expressed his remorse for the murder. He also apologized for his actions, both on parole supervision and during his incarceration. When questioned by the Board, Mr. Snow denied his involvement in a gang and stated that his friends were from his housing development. Mr. Snow admitted that he and his friends would engage in fighting and sometimes used weapons, including knives. When the Board questioned him about the manslaughter of his friend, Mr. Brewington, Mr. Snow indicated that the two were "playing a game." Mr. Snow claimed that the game escalated into a knife fight, which culminated in stabbing his friend to death. When the Board questioned him as to why the murder of his friend didn't prompt him to change his lifestyle, Mr. Snow explained that, at the time of the governing offense, he was young and "only thinking about himself."

Board Members questioned Mr. Snow as to his numerous parole revocations and rescissions. Mr. Snow claimed that his most recent rescission resulted from asking an inmate to leave his cell, so he could play video games. Mr. Snow said that the inmate came back to the cell and initiated a fistfight. He also discussed a disciplinary report for buying headache medicine from another inmate, rather than buying it from the canteen. A Board Member noted that Mr.

Snow failed to learn from an earlier revocation, where he purchased heroin to treat pain from knee surgery, rather than renewing a pain medication prescription.

When questioned as to his programming efforts and substance abuse treatment, Mr. Snow said that he is close to earning a HiSET degree. He has taken culinary and HazMat vocational classes, attends Cognitive Behavioral Therapy, participates in volunteer work, and attends religious services. He said that he does not attend AA/NA because it was not offered at his institution. Regarding substance abuse issues, Mr. Snow said that he is not addicted to any drugs, nor does he crave heroin. Although Mr. Snow admitted to abusing drugs in the past, he claims that he does not have "an addictive personality."

Mr. Snow had numerous supporters in attendance at his hearing. The Board considered the testimony of Mr. Snow's uncle, aunt, and grandmother, all of whom testified in support of parole. The Board also considered letters of opposition submitted by the Suffolk County District Attorney's Office and Boston Police Commissioner William Gross.

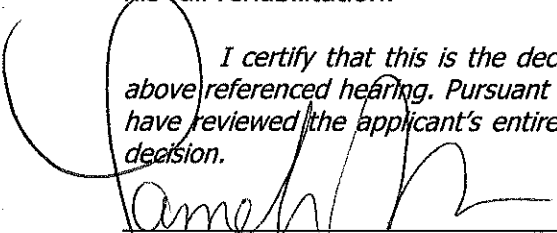
III. DECISION

The Board is of the opinion that Mr. Snow has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. It is the opinion of the Board that Mr. Snow lacked candor regarding the disciplinary reports that he incurred prior to the receipt of his Record of Decision. In addition, he minimizes his addiction. He should partake in substance abuse treatment and programming.

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. Snow'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. Snow's risk of recidivism. After applying this standard to the circumstances of Mr. Snow's case, the Board is of the opinion that Emmett Snow is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Snow's next appearance before the Board will take place in two years from the date of this hearing. During the interim, the Board encourages Mr. Snow to continue working towards his full rehabilitation.

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.


Pamela Murphy, General Counsel


Date