



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: June 13, 2017

DATE OF DECISION: May 15, 2018

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, 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 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 by unanimous vote that the inmate is a suitable candidate for parole. Parole is granted to a long term residential treatment program with special conditions, after successful adjustment of 12 months in lower security.

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.

Emmett Snow was the leader of a gang in Roxbury. On the evening of August 26, 1988, 16-year-old Richard Bailey (also known as "Poyo") got into a fistfight with a friend of Mr. Snow's. The following evening, at about 7:30 p.m., Mr. Bailey and about seven of his friends were sitting on a fence in the Warren Gardens housing complex, when 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 began running or walking quickly away, Mr. Snow's group gave chase. Mr. Snow reached Mr. Bailey and the two began to fight. Eventually, Mr. Snow tripped Mr. Bailey to the ground. About five men from his group

descended on 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 his heart.

Prior to this incident, on March 7 1987, Mr. Snow got into 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 JUNE 13, 2017

Mr. Snow was first paroled in 2004, after completing six months in minimum security. His parole, however, was revoked on multiple occasions. His last review hearing, in 2012, resulted in the denial of parole with a five year review.

Mr. Snow, now 47-years-old, appeared before the Parole Board on June 13, 2017, for a review hearing. He was not represented by counsel. During his opening statement, Mr. Snow apologized to the family of the victim and expressed remorse for the murder of Mr. Bailey. Mr. Snow also apologized for his actions on parole and in the community, as well as during his incarceration. He stated that his actions were a result of his immaturity, and that he is currently working towards "making [himself] a better person." He said that with the help of his family members, as well as participation in programming, he knows that he will now fare better on parole. Mr. Snow described his recent re-incarceration as a "blessing," because it allowed him to "regroup" and focus on his rehabilitation. Mr. Snow indicated that having been incarcerated for the majority of his adult life, he did not know how to live outside of prison. Over the course of the last 5 years, Mr. Snow has completed programs and counseling, such as Cognitive Behavioral Therapy ("CBT") and Anger Management, which Mr. Snow indicated have been very useful to him. Through counseling and programming, Mr. Snow has learned how to appropriately respond to situations involving conflict and adversity.

In describing the murder of his friend, Mr. Brewington, Mr. Snow indicated that the two were "playing a game." At some point, the two became angry at each other and an altercation ensued. Mr. Snow stabbed Mr. Brewington in the chest, and he died in the arms of Mr. Snow. Approximately 18 months later, Mr. Snow murdered Mr. Bailey. The Board questioned Mr. Snow as to why the murder of his best friend didn't prompt him to change his lifestyle. At the time of the governing offense, Mr. Snow explained that he was "out on the streets" and that it was a "horrible time in [his] life." The Board subsequently questioned Mr. Snow on how he has come to rehabilitate himself and overcome his prior actions, given his prior parole failures and history of violence. Mr. Snow acknowledged that his actions have not only hurt himself, but also his family, the community, and his victims. Mr. Snow stated that he has a strong support system available to him, specifically from his aunt and uncle. Mr. Snow indicated that he would like to be released to a half-way house, so that he can continue his counseling/treatment (specifically, the CBT program) and obtain assistance with education, housing, and employment. He hopes to be employed again at a Valvoline or Jiffy Lube station. Mr. Snow is currently working on obtaining his GED, plans on attending the advanced Anger Management and CBT programs, and is employed as a unit runner in prison.

Mr. Snow had numerous supporters in attendance at his hearing. The Board considered the testimony of Mr. Snow's uncle, his aunt, and Lyn Levi of SPAN, Inc., all of whom testified in support of parole. The Board also considered a letter of opposition submitted by Suffolk County Assistant District Attorney Charles Bartoloni.

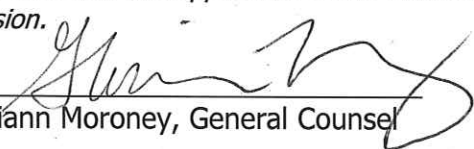
III. DECISION

The Board is of the opinion that Emmett Snow has demonstrated rehabilitative progress and, consequently, has acquired the tools and skills that will assist him a successful transition from incarceration. Mr. Snow has been re-incarcerated since 2008, and has been program compliant. He is enrolled in Hi-Set and CBT and is employed as a unit runner. Mr. Snow's release meets the legal standard, but he must remain disciplinary report free.

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 also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Snow's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Snow's case, the Board is of the unanimous opinion that Mr. Snow merits parole at this time. Parole is granted to a long term residential treatment program with special conditions, after successful adjustment of 12 months in lower security.

SPECIAL CONDITIONS: Waive work for Long Term Residential Program (LTRP); Must be home between 10:00 pm and 6:00 am; GPS 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 w/victim's family; Must have substance abuse evaluation and adhere to plan; Must have mental health counseling for adjustment/transition; Long term residential treatment.

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

5/15/18
Date