



*The Commonwealth of Massachusetts
Executive Office of Public Safety and Security*



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

**JAMAL SPENCER
W50106**

TYPE OF HEARING: Review Hearing
DATE OF HEARING: September 15, 2020
DATE OF DECISION: February 8, 2021

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

STATEMENT OF THE CASE: On March 11, 1991, in Suffolk Superior Court, Jamal Spencer pleaded guilty to the second-degree murder of 22-year-old Sabrina Smith. He was sentenced to life imprisonment with the possibility of parole. That same day, Mr. Spencer was also convicted of armed assault with intent to rob or murder, for which he received a concurrent sentence of 18 to 20 years; assault and battery by means of a deadly weapon, for which he received a concurrent sentence of 8 to 10 years; and possession of a firearm, for which he received a concurrent sentence of 4 to 5 years.

Mr. Spencer appeared before the Parole Board for a review hearing on September 15, 2020 and was represented by Harvard Law School Prisoner Legal Assistance Program Student Monick Perone. This was Mr. Spencer's third appearance before the Board since his parole revocation in 2010, having been denied in 2011 and 2016. Mr. Spencer was previously released on parole in 2006 but was revoked due to parole violations. The entire video recording of Mr. Spencer's September 15, 2020 hearing is fully incorporated by reference to the Board's decision.

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 a unanimous decision that the inmate is a suitable candidate for parole. Reserve to Long Term Residential Program after six months in lower security. Mr. Spencer is currently incarcerated for the murder of Sabrina Smith on May 11, 1990 in Dorchester, Massachusetts. Mr. Spencer has been in custody for 13 years for a crime on parole. Since his return to custody, he has completed

numerous programs to include Emotional Awareness, Restorative Justice, and has maintained employment. Additionally, he has obtained a welding license and will pursue an apprenticeship in the field. He has a solid support network. Re-incarceration has served its purpose.

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."

In forming this opinion, the Board has taken into consideration Mr. Spencer'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. Spencer's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Spencer's case, the Board is of the unanimous opinion that Mr. Spencer is rehabilitated and merits parole at this time.

Special Conditions: Reserve to Long Term Residential Program (LTRP) after six months in lower security; Waive work for LTRP; Curfew at must be home between 10 p.m. to 6 a.m.; ELMO-electronic 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 with victim's family; Must have substance abuse evaluation, adhere to plan; Must have mental health counseling for adjustment/transition.

IMPORTANT NOTICE: The above decision is an abbreviated administrative decision issued in an effort to render an expedited resolution in response to the COVID-19 pandemic. Mr. Spencer, through counsel, has waived his right to a full administrative decision.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.


Pamela Murphy, General Counsel


Date