



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Thomas A. Turco III
Secretary

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Gloriann Moroney
Chair

Kevin Keefe
Executive Director

DECISION

IN THE MATTER OF

JAMES SKINNER

W55739

TYPE OF HEARING: Review Hearing

DATE OF HEARING: September 17, 2019

DATE OF DECISION: August 18, 2020

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, 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 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 not a suitable candidate for parole.¹ Parole is denied with a review scheduled in four years from the date of the hearing.

I. STATEMENT OF THE CASE

On January 12, 1994, in Essex Superior Court, James Skinner pleaded guilty to the second degree murder of 62-year-old Americo Maldonado and was sentenced to serve life in prison with the possibility of parole. On that same day, Mr. Skinner received a concurrent sentence of 12 to 20 years for armed assault in a dwelling. Mr. Skinner had two co-defendants, Elijah Kodjo and Kevin Bolding.

In the early morning hours of November 23, 1992, Kevin Bolding and Elijah Kodjo (James Skinner's adoptive brother) purchased drugs from Americo Maldonado's son in Lynn. At approximately 6:00 a.m., Mr. Skinner and his co-defendants decided to return to Mr.

¹ Four Board Members voted to deny parole with a four year review. Three Board Members voted to deny parole with a three year review.

Maldonado's apartment in order to steal drugs and money. Mr. Bolding and Mr. Kodjo were armed with tire irons, and Mr. Skinner had a hunting knife. They forcibly entered Mr. Maldonado's apartment. Mr. Bolding and Mr. Kodjo assaulted and struggled with Mr. Maldonado's son. Meanwhile, Mr. Skinner stabbed Mr. Maldonado with the hunting knife. He suffered several stab wounds, including a fatal wound to the chest that caused him to bleed to death. Mr. Skinner and his co-defendants took drugs and money and fled.

Mr. Bolding was arrested two days later, after Mr. Maldonado's son identified a photograph of him. Mr. Bolding's statement led to the arrest of Mr. Skinner. Mr. Kodjo made a statement inculpatory to Mr. Skinner. In addition, forensic evidence linked Mr. Skinner to the murder.

II. PAROLE HEARING ON SEPTEMBER 17, 2019

James Skinner, now 56-years-old, appeared before the Parole Board on September 17, 2019, for a review hearing.² He was represented by Attorney Donna Brown. Mr. Skinner was denied parole after both his initial hearing in 2007, and his review hearing in 2012. He postponed his review hearing in 2017. Mr. Skinner declined to provide an opening statement. When questioned about the governing offense, Mr. Skinner, at times, became defensive and argumentative. He provided a version of the offense that remains inconsistent with that of the Commonwealth.

Mr. Skinner stated that his co-defendants informed him that they had been involved in a drug transaction, when they were accosted and robbed by a group of Dominicans. Mr. Skinner and his co-defendants (all armed) returned to the apartment building with the intent of resolving the matter. Mr. Skinner stated that he always carried a knife for protection. When they arrived, the situation quickly escalated in the hallway. At this point, Mr. Skinner and Mr. Kodjo backed into an apartment. As Mr. Skinner tried to lock the door, several Dominican men attempted to breach the apartment. Mr. Bolding, with the assistance of Mr. Kodjo, assaulted the victim's son on the floor of the apartment. Mr. Skinner denied forcibly entering the apartment. Mr. Skinner said that he felt trapped when he saw an older man coming at him with a shoe in his hand. He recalled throwing punches prior to Mr. Maldonado falling to the ground. He does not dispute stabbing Mr. Maldonado, but cannot recall taking the knife out. Mr. Skinner proceeded to knock the board off the back door and fled. At the time of the offense, Mr. Skinner was 29-years-old, married, and employed as a forklift operator. His younger brother (Elijah Kodjo) contacted him, asking for a place to stay. Although his family had advised against it, Mr. Skinner wanted to have family around. Mr. Skinner described himself as very loyal and would defend his family them at all costs. During the hearing, Mr. Skinner informed the Board that he now considers his brother to be a pathological liar.

Mr. Skinner was transferred to the United States Prison (USP) Atwater in California on May 28, 2019, where he remains currently. In February 2016, Mr. Skinner was returned to MCI-Cedar Junction and housed in the Special Management Unit for security purposes; he had been the target of a serious assault. In June 2016, he was transferred out of state through the Massachusetts Department of Correction's Interstate Compact Agreement. Mr. Skinner was initially held at USP Florence, in Colorado, before being transferred through Federal Bureau of Prison facilities to Kentucky, Virginia, and Pennsylvania. While in Pennsylvania, he participated in the Special Management Unit (SMU) Program, a program whose mission is "to teach self-

² Mr. Skinner is currently incarcerated in California. His parole hearing was conducted via video conference.

discipline, pro-social values, and the ability to successfully coexist with members of other geographical, cultural, and religious backgrounds." Mr. Skinner was recommended for the SMU Program due to his disciplinary conduct; specifically, the receipt of two disciplinary reports, one for fighting on December 5, 2016, and one for possessing two weapons on February 4, 2018. Upon completion of the SMU program, Mr. Skinner was transferred to California, where he is currently employed as a compound orderly and enrolled in Money Management.

The Board considered testimony from Ms. Gee, the sister of the victim in the New Hampshire case, who spoke in opposition to parole. Essex County Assistant District Attorney Elin Graydon spoke on behalf of the Essex County District Attorney's Office in opposition to parole.

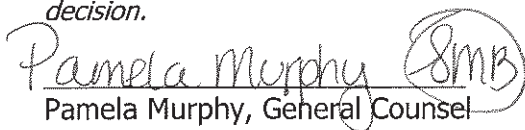
III. DECISION

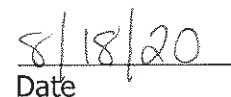
It is the opinion of the Board that James Skinner has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Skinner has served approximately 27 years for the murder of 62-year-old Americo Maldonado. He is currently incarcerated in California, via the Interstate Compact agreement with the Federal Bureau of Prisons. He has had a problematic adjustment, resulting in numerous placements in the discipline detention and special management units. It is the opinion of the Board that Mr. Skinner should fully invest in rehabilitative programming and refrain from engaging in anti-social behavior.

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

Mr. Skinner's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages him 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