



Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Daniel Bennett
Secretary

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone # (508) 650-4500

Facsimile # (508) 650-4599



Paul M. Treseler
Chairman

Michael J. Callahan
Executive Director

DECISION

IN THE MATTER OF

KENNETH BARTLETT

W52822

TYPE OF HEARING: Review Hearing

DATE OF HEARING: May 2, 2017

DATE OF DECISION: March 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 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. Parole is denied with a review scheduled in five years from the date of the hearing.

I. STATEMENT OF THE CASE

On January 31, 1991, in Suffolk Superior Court, Kenneth Bartlett pleaded guilty to the second degree murders of Clinton Moody (on May 30, 1988) and Edward Jones (on June 30, 1988) and was sentenced to two concurrent terms of life imprisonment with the possibility of parole. Mr. Bartlett had previously pleaded guilty to a federal indictment of conspiracy to distribute cocaine and was sentenced to 384 months imprisonment concurrent with his state sentence.

Both murders were committed in the spring of 1988, while Mr. Bartlett was on parole from convictions in New York for robbery and forcible theft while armed. In both instances, Mr. Bartlett traveled from New York, where he resided at the time, to Boston, where the murders were committed. In each case, the murders were connected with Mr. Bartlett's participation in a large-scale drug sales operation based in New York City.

The first victim, Clinton Moody, was found shot to death in the Roxbury section of Boston. His body was found next to a trash dumpster with multiple gunshot wounds to the head and body. The specific circumstances surrounding the death of Mr. Moody are unclear. However, Mr. Bartlett had come to Boston on May 30, 1988, and went to an apartment in Roxbury. While at the apartment, a shoot-out erupted. In the exchange of fire, Mr. Bartlett stated that he shot Mr. Moody. The second victim, Edward Jones, apparently died under very similar circumstances. On June 30, 1988, Mr. Bartlett once again traveled to Boston from New York City. Mr. Bartlett had gone to meet up with others at an apartment building. Witnesses stated that Mr. Bartlett, together with another man, chased Mr. Jones out of a building near Orchard Park in Roxbury. Both men shot at Mr. Jones as he fled. He was hit four times, dying later that day from his wounds. As with his description of Mr. Moody's murder, Mr. Bartlett was either unable or unwilling to provide many specific details about the killing of Mr. Jones.

II. PAROLE HEARING ON MAY 2, 2017

Kenneth Bartlett, now 58-years-old, appeared before the Parole Board for a review hearing on May 2, 2017. Mr. Bartlett was previously denied parole in 2007 and 2012. At this hearing, he was not represented by counsel, nor did he wish to make an opening statement. During the hearing, Mr. Bartlett explained to the Board that he knew Mr. Jones and Mr. Moody as acquaintances when he lived in New York. Mr. Moody was a drug dealer for whom Mr. Bartlett would sell heroin in New York, and Mr. Jones was someone he knew from his neighborhood. In describing the murders, Mr. Bartlett was evasive, but provided more details about what occurred than was divulged at prior hearings. After being paroled in New York in 1987, Mr. Bartlett traveled from New York to Massachusetts approximately three times. Mr. Bartlett indicated that he traveled to Massachusetts alone in order to pick up money and take it back to New York. Mr. Bartlett, however, denied transporting drugs. Mr. Bartlett said that another man, Darryl Whitting, paid for his transportation from New York to Massachusetts.

On the day of the murder of Mr. Moody, Mr. Bartlett had traveled from New York to a house in Massachusetts to pick up money for Mr. Whitting. At least two other individuals were present during the murder and other individuals may have been upstairs. After another individual brought Mr. Moody to the house, an argument ensued, and Mr. Bartlett shot Mr. Moody. Mr. Bartlett stated that the argument was because Mr. Moody "tried to do something to [him] when he was a teenager." Mr. Bartlett believed that the other two individuals put Mr. Moody's body in the trunk of a vehicle and disposed of the body. In describing the murder of Mr. Jones, Mr. Bartlett stated that he had traveled with Mr. Whitting from New York to Mr. Jones' apartment in Massachusetts. He said that he and Mr. Whitting pushed the door open and then, at the order of Mr. Whitting, Mr. Bartlett shot Mr. Jones. Mr. Bartlett and Mr. Whitting then got into a cab and returned to New York.

When asked why he did not tell the Board before about what had occurred during the murders, Mr. Bartlett stated that he "didn't know how to talk to the Board" during his first and second hearings. Mr. Bartlett indicated that he sought the help of a therapist after his last hearing in 2012 because he had substance abuse issues. He indicated that the last time he used drugs was in 2015, when he was using suboxone on a daily basis. Mr. Bartlett admitted to taking items from the supply store in the prison (while he was employed there) and selling them in order to obtain drugs.

The Board recognized Mr. Bartlett's recent strides toward rehabilitation. He has participated in programs to address substance abuse and mental health issues and has made progress with his literacy. Mr. Bartlett read to the Board, and to his family, a letter he wrote in therapy. In the letter, Mr. Bartlett stated that he takes full responsibility for the two murders. He stated that the shooting of his mother when he was a child "put [him] in a downward spiral." He did not know how to express his feelings or speak about things that had happened. He said that he "knew he had to go see somebody to get this off of his chest." As a result, he began participating in programming for substance abuse and mental health.

The Board considered the testimony of Mr. Bartlett's wife, nephew, daughter, and daughter-in-law, all of whom expressed support for his release. The Board also considered the testimony of Mr. Moody's son and the mother of Mr. Moody's son, both of whom expressed opposition to parole. Suffolk County Assistant District Attorney Charles Bartoloni also spoke in opposition to parole.

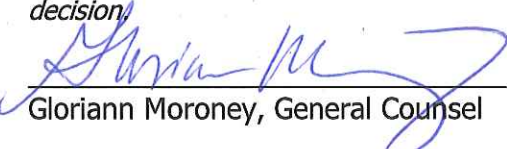
III. DECISION

The Board is of the opinion that Mr. Bartlett has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Bartlett committed two murders while on parole supervision. Release does not meet the legal standard. The Board believes a longer period of positive institutional adjustment and programming would be beneficial to Mr. Bartlett's rehabilitation.

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

Mr. Bartlett's next appearance before the Board will take place in five years from the date of this hearing. During the interim, the Board encourages Mr. Bartlett to continue working toward 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.


Gloriann Moroney, General Counsel

3/15/18
Date