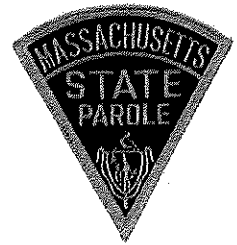


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

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RECORD OF DECISION

IN THE MATTER OF

KEVIN DENIS
W60269

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: June 26, 2025

DATE OF DECISION: January 12, 2026

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Sarah B. Coughlin, James Kelcourse, Rafael Ortiz¹

VOTE: Parole is granted on/after 2 weeks from issuance of Decision to CRJ.²

PROCEDURAL HISTORY: On March 14, 1996, following a jury trial in Suffolk Superior Court, Kevin Denis was convicted of murder in the first-degree for the death of Diron Spence. He was sentenced to life in prison without the possibility of parole. On that same date, Mr. Denis was convicted of carrying a firearm without a license and received a sentence of 4 ½ to 5 years, as well as 2 counts of armed assault to kill with a sentence of 15 to 20 for each count, all to be served concurrently.

Kevin Denis became parole eligible following the Supreme Judicial Court's decision in Commonwealth v. Mattis, 493 Mass. 216 (2024), where the court held that sentencing individuals who were ages 18 through 20 at the time of the offense (emerging adults) to life without the possibility of parole is unconstitutional. As a result of the SJC's decision in regard to his first-degree murder conviction, Mr. Denis was re-sentenced to life with the possibility of parole after 15 years.

¹ Board Member Ortiz were not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote. Acting Chair Tonomey Coleman participated in the hearing, but was not on the Board at the time of vote.

² One Board Member voted to deny parole with a review in 1 year.

On June 26, 2025, Kevin Denis appeared before the Board for an initial hearing. He was represented by Attorney Patricia DeJuneas. The Board's decision fully incorporates by reference the entire video recording of Kevin Denis' June 26, 2025, hearing.

STATEMENT OF THE CASE: On August 19, 1994, 18-year-old Kevin Denis shot and killed 17-year-old Diron Spence in Dorchester. On the evening of August 19, 1994, Mr. Spence stood on the corner of McLellan and Bradshaw Streets talking to his friend, C.R.³ Two young women, friends of Mr. Spence, were walking down Bradshaw Street and paused briefly to speak with Mr. Spence before continuing on their way. Moments after the women passed by, Mr. Denis, who was wearing black pants, a black jacket, and a black ski mask, approached Mr. Spence and C.R. and demanded their money. C.R. immediately began emptying his pockets, but Mr. Spence just stood there. Mr. Denis asked, "Think I'm playing?" He then pulled out a .357 Magnum revolver and shot at Mr. Spence from a distance of a few feet. As that first shot was fired, C.R. ran away without turning over any of the contents of his pockets. Four more shots were fired; three bullets hit Mr. Spence, resulting in a fatal wound to his chest.

Mr. Denis then ran down McLellan Street. M.B., who had been sitting on the front porch of his house, saw Mr. Denis and notified police as he entered a three-family house. Police arrived at the scene within minutes and surrounded the building. They entered the apartment and found Mr. Denis, who appeared nervous and sweaty. The weapon was soon found under a towel on the washing machine in the kitchen. Mr. Denis was then apprehended by the police.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board.

Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). Individuals who were emerging adults at the time of the offense must be afforded a "meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation" and the Board evaluates "the circumstances surrounding the commission of the crime, including the age of the offender, together with all relevant information pertaining to the offender's character and actions during the intervening years since conviction." Id. (citing Diatchenko v. District Attorney for the Suffolk Dist., 466 Mass. 655, 674 (2013) (Diatchenko I); Miller v. Alabama, 567 U.S. 460, 471 (2012); Graham v. Florida, 560 U.S. 48, 75 (2010)). Since brain development in emerging adulthood is ongoing, the Board also considers the following factors when evaluating parole candidates who committed the underlying offenses

³ The names of surviving civilians have been withheld for privacy purposes.

as an emerging adult: 1) a lack of impulse control in emotionally arousing situations; 2) an increased likelihood to engage in risk taking behaviors in pursuit of reward; 3) increased susceptibility to peer influence which makes emerging adults more likely to engage in risky behavior; and 4) an emerging adult's greater capacity for change. See Mattis, 493 Mass. at 225-229.

DECISION OF THE BOARD: This is Mr. Denis' initial appearance before the Board as a result of the SJC's Mattis decision. Mr. Denis is 49 years old and has been incarcerated for over 30 years. He scores low risk on the LSCMI risk assessment tool. The Board reviewed Dr. Guidry's evaluation, which noted Mr. Denis' undiagnosed and untreated mental health, cannabis use disorder, and developmental disorders at the time of the offense when Mr. Denis was 18 years old. He has invested in self-development by completing approximately 80 programs and earning his bachelor's degree from Boston University. He has a minimal disciplinary history while incarcerated. He is involved in Restorative Justice practices. He has strong community supports for his re-entry. In rendering their decision, the Board considered support testimony from Dr. Guidry and two friends of Mr. Denis. They also considered the opposition testimony and written submission from Mr. Spence's family, as well as Suffolk County Assistant District Attorney Montez. The Board concludes that Mr. Denis has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Residential Program - CRJ; Waive work for 2 weeks; Electronic monitoring for 6 months; Curfew: 10PM to 6AM at parole officer's discretion; 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 mental health counseling for PTSD, Autistic Spectrum Disorder.

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.


Angelo Gomez, Jr. Chair

January 12, 2026
Date