



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Andrea J. Cabral
Secretary

The Commonwealth of Massachusetts
Executive Office of Public Safety

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone # (508) 650-4500

Facsimile # (508) 650-4599



Josh Wall
Chairman

DECISION

IN THE MATTER OF

MICHAEL CORRADINO

W34481

TYPE OF HEARING: **Review Hearing after Revocation**

DATE OF HEARING: **May 31, 2012**

DATE OF DECISION: **May 30, 2013**

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Dr. Charlene Bonner, Sheila Dupre, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall.

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, institutional record, the views of the public as expressed at the hearing or in written submissions to the Board, we conclude by a unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in three years from the date of the hearing.

I. STATEMENT OF THE CASE

On May 6, 1973, Michael Corradino shot and killed 29-year-old Michael Barry over a dispute at a card game in Chelsea. On February 26, 1974, a Suffolk Superior Court jury found Mr. Corradino guilty of murder in the second degree. Mr. Corradino's subsequent appeals and post-conviction motions have been unsuccessful.

On the day of the murder, the police received an anonymous telephone call that a shooting had taken place at Dorothy's Café. Officers responded to the call and entered the bar but reported no evidence of a shooting. The police had long suspected that unlawful card games took place regularly on the second floor of the building housing the bar. Mr. Corradino ran these after hours card games and had barred Mr. Barry from them. Mr. Barry's body was found the following day at 6:25 a.m.

Mr. Corradino and Mr. Barry had a history of engaging in verbal altercations. A month before the murder, Mr. Barry had accused Mr. Corradino of cheating during a game and had thrown chips at him. Patrons separated the two, avoiding a fight. On the night of the murder, Mr. Barry and Mr. Corradino had yet another altercation, this time, over a debt incurred during the illegal card games held at the bar. Witness statements indicated that Mr. Barry appeared to be quite drunk. In an attempt to de-escalate the situation, Sonny, a cook at Dorothy's, grabbed Mr. Barry and pulled him back as he tried to lunge at Mr. Corradino. In response, Mr. Corradino, standing approximately four feet from the victim drew a gun from his pocket, firing the weapon twice. Blood spurt from Mr. Barry's head as he slumped to the floor. Mr. Barry died as a result of a gunshot wound to the head. Mr. Corradino was arrested approximately five months later.

Mr. Corradino had one co-defendant in this case, Alfred Abate, Jr. During their investigation, the police found stains on the upstairs bathroom sink, which were determined to be blood. They also found blood on a number of items seized: a mop found downstairs, a polyethylene sheet and a piece of tissue found on the upstairs bathroom floor, a piece of linoleum from the top of the stairs to the second floor, a box found upstairs, old shoes, wood shavings, a door found in a storage room upstairs (a new door had been installed on the upstairs bathroom), and scrapings from between floor boards in the storage room. The police detected the strong odor of sylpho-nathol, a disinfectant, upstairs and seized a bottle of it; upon analysis it turned out to bear Mr. Abate's fingerprints. Mr. Abate was convicted of accessory after the fact of murder. He was sentenced to serve five to seven years, and was paroled in 1976.

II. INSTITUTIONAL HISTORY

Mr. Corradino had good institutional conduct in the later years of his incarceration and during his returns to custody after parole violations. His last disciplinary report occurred in March of 1998 for being out of place in the institution. His initial adjustment was problematic, resulting in several returns to higher security, including his 1982 involvement in a United States currency counterfeiting scheme. In addition, in October 1986, a search of his cell determined that Mr. Corradino had \$149 in his possession. The money appeared to be connected to gambling. In May 1989, Mr. Corradino's son accused him of beating him with a pipe while the inmate was on a furlough. Mr. Corradino was returned to higher custody, but the son recanted the allegations, claimed that he caused the bruises on his own face, and entered detox.

During his earlier period of incarceration, Mr. Corradino engaged in a number of programs including Correctional Recovery Academy, Alternatives to Violence (as a participant and as a facilitator), Alcoholics Anonymous, and Gambler's Anonymous. In addition, he completed course work in computers and auto mechanics. He was involved with Toastmasters, was a member of the Lifer's Group, the Italian Club, the Fellowship, and Training for Trainers.

Since his return to custody, Mr. Corradino has been unemployed. He reported that he was attending AA; however, lately his time has been consumed with medical appointments and he is no longer attending.

III. PAROLE HISTORY

Michael Corradino was initially granted parole on September 27, 1989. Federal authorities arrested him in 1993 for trafficking 150 grams of cocaine. He was not held in custody and he fled from Massachusetts. After being whereabouts unknown for two months, he was arrested in Florida. Parole was revoked.

Mr. Corradino served an additional nine years before re-parole in October 2002. Boston Police arrested him in April 2007 for ticket scalping near Fenway Park. The Board did not revoke parole. In May 2007, Mr. Corradino moved to New Hampshire and supervision was transferred via the Interstate Compact. In May 2010, a Massachusetts parole officer recognized Mr. Corradino near TD Garden, apparently scalping Bruins tickets, despite a special condition prohibiting his involvement in ticket sales. Parole was not revoked.

Mr. Corradino violated parole repeatedly in 2011 through a series of events in New Hampshire. Most significantly, Mr. Corradino went whereabouts unknown for four months from late February of 2011 to June 23, 2011. During that time, Mr. Corradino ceased communication and changed residences for the specific purpose of avoiding supervision by his New Hampshire parole officer. Mr. Corradino was hiding from parole because he had a criminal case, involving trespass and vandalism that he feared would result in parole revocation. Instead of reporting the new criminal charges to his parole officer, Mr. Corradino fled.

During his period of absconding, Mr. Corradino had arrest warrants against him for the criminal charges of trespass and vandalism. Local police arrested Mr. Corradino on the arrest warrant on April 7, 2011. Mr. Corradino tried to avoid arrest on the warrant by lying about his identity. He told the police officers who stopped him that he was Richard Weimer and showed them a photo ID for that person. The arresting officers noticed that the photo on the ID did not resemble Mr. Corradino. In addition, Mr. Corradino was unable to provide the officers with certain identifiers for Richard Wiemer. Mr. Corradino subsequently admitted his true identity and that he lied to avoid arrest on the warrant.

Even after being arrested on the warrant, Mr. Corradino continued with his devious behavior. He did not tell the arresting officers that he was on parole, a fact they did not discover. He quickly made bail, but did not contact his parole officer. He continued hiding from parole. He failed to appear for court dates in May. New Hampshire Parole had not seen Mr. Corradino since a February 23, 2011 office visit and they had been trying to contact him unsuccessfully since late February, 2011. He avoided all attempts by New Hampshire Parole to contact him or find him. New Hampshire notified Massachusetts Parole on May 25, 2011, and Massachusetts Parole issued a warrant. Massachusetts Parole searched for Mr. Corradino for the next month. On June 23, 2011, Massachusetts Parole found him in Nashua, New Hampshire and he was arrested.

Mr. Corradino was found guilty of criminal trespassing in Derry District Court on August 11, 2011 and received 48 days committed (credit for time served). After his New Hampshire cases were closed, Mr. Corradino was returned to Massachusetts on the outstanding parole warrant.

IV. PAROLE HEARING ON MAY 31, 2012

At the hearing, Attorney John Rull represented Mr. Corradino. Mr. Corradino seeks a re-parole to Derry, New Hampshire to reside with his 22-year-old grandson. He reports that he is semi-retired and receiving \$750 a month in social security retirement benefits. He plans to work part-time at Fossie's Ticket Agency or work for his son's ticket business, North Country Event Tickets, to supplement his income. Mr. Corradino stated that he re-directed his life over the course of the past eighteen years.

Throughout the hearing, Mr. Corradino minimized or excused every parole misstep or violation that has occurred on his two paroles. When questioned about his 2011 series of violations, he did not take responsibility for his conduct. He failed to see the seriousness of the threat presented by a murderer on parole who is whereabouts unknown. He showed no recognition that his lies and deceptive behavior result from continued criminal thinking.

Mr. Corradino had been incarcerated in Massachusetts for eight months, but has not used that time for reflection or rehabilitation. He has not been active in prison. He did not present at the hearing any new insights on his criminal thinking or any strategies for a different outcome if he were re-paroled.

Suffolk Assistant District Attorney Charles Bartoloni submitted a letter opposing parole. Mr. Corradino had three supporters in attendance and his son spoke in support.

V. DECISION

Michael Corradino has returned to prison to serve his life sentence because he has not reformed his criminal thinking and conduct. The events in New Hampshire, in the spring of 2011, show a man whose conduct is directed by his criminal thinking, thus creating an unacceptable public safety risk. Throughout his parole history, he has shown an unwillingness to abandon some of the activities that undermine his success. His parole plan includes working in the ticket business that will present temptations that he has been unable to resist in the institution and in the community. Mr. Corradino's parole plan will encourage, rather than discourage, his criminal thinking and behavior. With Mr. Corradino's history of gambling and ticket scalping, he needs a plan that keeps him away from ticket sales.

Mr. Corradino does not appear to understand the seriousness of his parole failures. He has trafficked in cocaine, fled to Florida, persisted with ticket scalping in defiance of warnings and a special condition, committed new crimes, lied to police about his identity, and gone whereabouts unknown. These violations establish that Mr. Corradino is not rehabilitated. His situation is also complicated by the fact that his support network in New Hampshire was either ineffective or unreliable in preventing or correcting Mr. Corradino's bad conduct.

The police report from Derry, New Hampshire dated March 4, 2011 documents Mr. Corradino's conduct which resulted in the charges for trespass and vandalism. In addition to the criminal conduct, Mr. Corradino repeatedly misled and deceived the police investigator. Mr. Corradino also asked the investigator "if there was any way this could be worked out without going through my parole officer." The police report records criminal thinking unrestrained by the requirements and expectations of parole.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that, "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." Applying that appropriately high standard here, the Board finds that Mr. Corradino is not a suitable candidate for parole. The review will be in three years, during which time Mr. Corradino needs to appreciate the seriousness of his parole failures and work hard to develop prosocial thinking and conduct.

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.

Caitlin C. Casey
Caitlin E. Casey, Chief of Staff

5/30/13
Date