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PAROLE BOARD

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Paul M. Treseler
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DECISION

IN THE MATTER OF

MICHAEL LACORTE

W34301

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 18, 2017

DATE OF DECISION: March 21, 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 a suitable candidate for parole. Parole is granted to a long term residential program with special conditions, after successful completion of six months in lower security.

I. STATEMENT OF THE CASE

On January 10, 1976, after a jury trial, Michael LaCorte was sentenced to serve life in prison for the second degree murder of 33-year-old Richard White. The Supreme Judicial Court affirmed the conviction on November 18, 1977.

On May 29, 1974, Mr. LaCorte murdered Richard White because he believed that Mr. White had "ripped" him off in a drug transaction. Mr. White was found dead on the floor of his Marlborough Street apartment in Boston, bleeding from multiple stab wounds. A scarf was tied around his neck like a noose. There was evidence suggesting that Mr. White had fallen through a plate glass window during his struggle with Mr. LaCorte. About four months later, in October 1974, Mr. LaCorte bragged to a group of friends about the crimes that he had committed in the past, including a murder that he reenacted for them. Mr. LaCorte also told his friends that he had stabbed the victim 27 times and that the victim had fallen through a glass window during

the struggle. Two of these friends spoke with police about Mr. LaCorte's statements and, ultimately, testified at his trial. In addition, during the course of the investigation, Mr. LaCorte's fingerprint was discovered on a coffee cup recovered from the victim's apartment. An autopsy revealed that Mr. White had succumbed to multiple stab wounds to his chest and abdomen with penetrating injuries to his lung, liver, spleen, kidneys, and stomach.

II. PAROLE HEARING ON JULY 18, 2017

Mr. LaCorte was denied parole after his initial hearing in 1990, as well as his review hearing in 1991. Mr. LaCorte was paroled in 1993, but was unable to maintain his sobriety. He was returned to custody in 1993, and his parole was revoked. In April 1994, Mr. LaCorte appeared before the Board for a review hearing. The Board voted to reserve after 12 months at Pre-Release. In May 1995, however, the Board voted to rescind the prior vote due to Mr. LaCorte's arrest by Boston police on April 18, 1995. He was charged with extortion and threatening to commit a crime. On August 2, 1995, in Roxbury District Court, the extortion charge was dismissed, and the threatening to commit a crime charge was guilty filed. Mr. LaCorte had review hearings in 1995 and 1999, both of which resulted in denial. In February 2003, Mr. LaCorte was again released to parole supervision. He was returned to custody in July 2004, after an arrest for assault and battery and intimidation. Mr. LaCorte was found not guilty of these charges. He was again released on April 4, 2005, but was returned to custody six weeks later, as he was unable to maintain his sobriety. His parole was revoked. Mr. LaCorte had review hearings in 2006, 2009, and 2012, all of which resulted in denial.

Mr. LaCorte, now 65-years-old, appeared before the Parole Board for a review hearing on July 18, 2017, and was represented by Attorney John Rull. In his opening statement to the Board, Mr. LaCorte expressed his remorse and apologized to the family of Mr. White. He now recognizes that his return to custody was a result of his inability to overcome his long history of drug addiction. In discussing the murder of Mr. White, the Board asked Mr. LaCorte to explain the rage and extreme violence exhibited when he stabbed him 27 times. Mr. LaCorte responded by saying, "It was a drug deal that went completely out of hand." He admitted that he was under the influence, and he feared retaliation from those who had given him money for the purchase of drugs.

The Board also questioned Mr. LaCorte at length about his history of substance use. Mr. LaCorte has struggled with opioid addiction for almost 50 years. During the past 12 years, he focused on substance abuse treatment and has maintained his sobriety. Mr. LaCorte stated that he is committed to living a drug free life, including the use of prescription pain medication. If granted parole, Mr. LaCorte understands the need to utilize his support network when confronted with challenges. Since his last hearing, Mr. LaCorte has participated in numerous programs, including Alternatives to Violence (two phases), Mental Health Group Counseling, NA/AA, 12 Step, AA Big Book programs, and the Graduate Maintenance Program. Additionally, he serves as a mentor for the Correctional Recovery Academy. In this capacity, he has been afforded the opportunity to mentor younger inmates whose lives have been disrupted by drug use and lead to criminal behavior. He believes that the programs have been instrumental in helping him understand his addiction and in preventing relapse. Since the spring of 2016, Mr. LaCorte has been receiving treatment for a plethora of significant health issues.

Mr. LaCorte had many supporters at his hearing, and multiple letters of support were submitted on his behalf. The Board considered oral testimony from his fiancé, brother-in-law, and sisters, all of whom expressed strong support for parole. Two members of the community spoke in opposition. Suffolk County District Attorney Daniel Conley submitted a letter in opposition to parole.

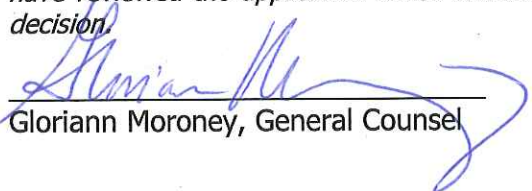
III. DECISION

The Board reserves parole to a long term residential program after 6 months in lower security. Re-incarceration has served its purpose. Mr. LaCorte has invested in his rehabilitation over the past 12 years to address his causative factors to include violence, substance use, and mental health. The Board strongly recommends he partake in the vivitrol program.

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. LaCorte'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. LaCorte's risk of recidivism. After applying this standard to the circumstances of Mr. LaCorte's case, the Board is of the unanimous opinion that Michael LaCorte merits parole at this time to an approved long term residential program with special conditions, after successful completion of six months in lower security.

SPECIAL CONDITIONS: Waive work for LTRP; Must be at home between 10 pm and 6 am; Electronic monitoring/GPS 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; Must have mental health counseling for adjustment/transition; Long Term Residential Program; AA/NA at least three times/week.

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

3/21/18
Date