



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

MICHAEL MARPLE
W41130

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **August 2, 2016**

DATE OF DECISION: **December 8, 2016**

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 April 17, 1986, in Norfolk Superior Court, a jury convicted 32-year-old Michael Marple of the second degree murder of 31-year-old John Blais. He was sentenced to life in prison with the possibility of parole. Just before jury empanelment, co-defendant Stephen Haynes pled guilty to manslaughter.

Mr. Marple, Mr. Haynes, and Mr. Blais were all inmates at MCI-Cedar Junction.¹ On April 13, 1984, Mr. Marple and Mr. Haynes attacked Mr. Blais on a stairwell landing, strangling him and beating him with a pipe. Mr. Haynes held Mr. Blais, while Mr. Marple beat him. During the beating, Mr. Marple repeatedly asked Mr. Blais, "Where are the ludes?" (a reference to drugs). Mr. Blais did not reply. After the beating, Mr. Marple and Mr. Haynes threw Mr. Blais down a

¹ On January 19, 1981, while serving a sentence in Connecticut, Mr. Marple was convicted of second degree assault and battery of a corrections officer. Mr. Marple was identified as a threat to security and was subsequently transferred to the custody of the Massachusetts Department of Correction.

flight of stairs. A corrections officer later discovered Mr. Blais' body with a cloth garrote around his neck. Mr. Blais died as a result of strangulation.

II. PAROLE HEARING ON AUGUST 2, 2016

Mr. Marple, now 63-years-old, appeared before the Parole Board on August 2, 2016, for a review hearing. This was Mr. Marple's fourth appearance before the Board. In his opening statement to the Board, Mr. Marple apologized to the victim's family, as well as his own family. Expressing remorse, Mr. Marple stated that he had not intended for Mr. Blais to die and took "full and sole responsibility" for his murder. Mr. Marple discussed the events (in prison) that transpired the day Mr. Blais was murdered. Mr. Marple woke up, "ate a bunch of pills," and then went to work, where he smoked some marijuana. Mr. Marple was "so trashed" at work, that a corrections officer brought him back to his cell. In his cell, Mr. Marple noticed that some of his marijuana was missing from its hiding place. After first blaming Mr. Blais and Mr. Haynes, Mr. Marple later found out that Mr. Blais was seen taking something from Mr. Marple's cell. (Mr. Marple had been smuggling drugs into the facility at the time).

Mr. Marple told Mr. Haynes that he was going to have to "do something" to Mr. Blais that night. Mr. Haynes offered to "take care of it," but Mr. Marple said that he would take care of it himself because he wanted to give Mr. Blais "what he deserves." That night, Mr. Haynes put wraps (used for boxing) on his hands, and Mr. Marple "lured" Mr. Blais to Mr. Marple's cell. Mr. Haynes was in the cell, sitting on a desk. Mr. Haynes ended up attacking Mr. Blais and the desk fell over, loudly hitting the ground. Mr. Marple said that he immediately walked out of his cell and saw that the officer at the desk was looking up. Mr. Marple started walking around the tier, so as not to draw attention to his cell. When Mr. Marple came back, he saw that Mr. Haynes was "stomping" on Mr. Blais. He said that he saw blood on the wall and told Mr. Haynes to stop. Mr. Blais was unconscious. Mr. Marple told Mr. Haynes they could not leave Mr. Blais in his cell, so they picked him up and carried him to the stairway. They carried him down the stairs and left him on a landing between the second and third floor.

The Board questioned Mr. Marple about the inconsistencies between this version of events and of witness accounts. Mr. Marple said that the witness who claimed that he saw Mr. Marple holding Mr. Blais on the stairwell (and hitting him in the head with an object before throwing him down the stairs) fabricated his story. Mr. Marple maintained that he never hit or kicked Mr. Blais, but admitted to luring him into the cell, helping clean up the crime scene, and trying to cover up the murder. Mr. Marple was questioned as to the different versions of the murder that he has described at previous Parole Board hearings. He responded by saying that he gets "pieces" of his memory back, since (at the time of the murder) he had been using a lot of drugs. Mr. Marple initially said that he pled not guilty because the witness account was not true. When a Board Member challenged this assertion, Mr. Marple then admitted that he pled not guilty as part of a scheme with Mr. Haynes.

The Board asked Mr. Marple to address two disciplinary reports that he received since he last appearance before the Board in 2011. In August 2014, Mr. Marple was found guilty of misuse of prescribed medication. However, Mr. Marple denied handing pills to another inmate, stating that he only shook the inmate's hand during a conversation. Upon further questioning by the Board, Mr. Marple stated that he later asked his wife to find the home address of the corrections officer who had accused him of passing the pills. Mr. Marple claimed that his

intention was to file a lawsuit against the officer and place a lien on his house. The corrections officer's home address was found on a piece of paper in Mr. Marple's cell. Mr. Marple said he acted out of frustration at being "falsely accused." When asked if he had made a comment about wanting "to rent some space in the officer's head," Mr. Marple admitted to making that statement. According to Mr. Marple, he apologized to the officer, and his apology was accepted. The Board expressed serious concern with this behavior and the criminal thinking behind it, as well as Mr. Marple's minimization of his actions. Mr. Marple also discussed a disciplinary issue from December 2014, following a search of cells. Mr. Marple was upset that his belongings, including family pictures, were on the ground and that some of his possessions had been stepped on. He called a friend to vent and stated (regarding the officers who searched his cell), "I'd like for them to have to go home and see their house burnt and stamped out like this and see how they would like it." The call was recorded, and Mr. Marple was given a disciplinary report for threatening.

Mr. Marple said that he has completed most of the programming available to him. He recently took a computer class and is on the waiting list for a couple of programs, including Able Minds. Mr. Marple is currently employed in the correctional facility gym. He attends religious services and remains active in Alcoholics Anonymous (AA) and Narcotics Anonymous (NA).

The Board considered testimony in support of Mr. Marple's parole from his wife (via teleconference) and from his friend. The Board also considered testimony from Norfolk County Assistant District Attorney Marguerite Grant, who spoke in opposition to parole.

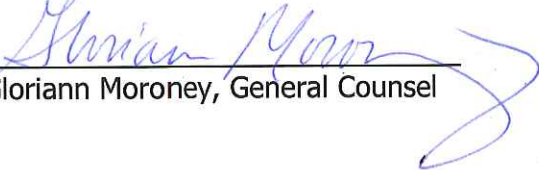
III. DECISION

The Board is of the opinion that Mr. Marple has had a poor institutional adjustment and has not accepted the prior recommendations of the Board. He committed the murder in custody and has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. In addition, he has yet to address his causative factors to violence, as well as his substance abuse issues. The Board believes that a longer period of institutional adjustment and additional programming would be beneficial to Mr. Marple'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. Marple'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. Marple's risk of recidivism. After applying this standard to the circumstances of Mr. Marple's case, the Board is of the unanimous opinion that Mr. Marple is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Marple'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. Marple 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.


Gloriann Moroney, General Counsel

12/8/16
Date