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PAROLE BOARD

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Tina M. Hurley
Chair

RECORD OF DECISION

IN THE MATTER OF

MILTON COLE

W35471

TYPE OF HEARING: Review Hearing

DATE OF HEARING: November 1, 2022

DATE OF DECISION: January 18, 2023

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On April 26, 1976, in Suffolk Superior Court, Milton Cole pleaded guilty to second-degree murder in the death of Thomas Valentine and was sentenced to life in prison with the possibility of parole. On that same date, he was sentenced to concurrent terms of 15 to 20 years for Armed Assault in a Dwelling, and 15 to 20 years for Armed Robbery.

Mr. Cole appeared before the Parole Board for a review hearing on November 1, 2022. He was not represented by counsel. Mr. Cole was granted parole after his 1990 initial hearing but was returned to custody on a parole violation in 1991. He was granted parole again after a 1992 review hearing, but this was rescinded in 1993. He was released on parole again in 1997 but was returned to custody in 2003. His parole was revoked in 2004 while he was serving an 18 to 20-year intervening sentence for a crime committed while on parole. The entire video recording of Mr. Cole's November 1, 2022, hearing is fully incorporated by reference to the Board's decision.

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 that the inmate is not a suitable candidate for parole¹.

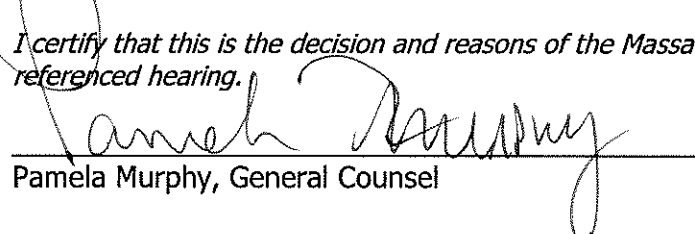
¹ Three Board Members voted to deny parole and three Board Members voted to grant parole. A majority vote is required for parole to be granted. Because of the split vote, the Board will conduct Mr. Cole's review hearing in one year from the date of this hearing.

The Board is of the opinion that Milton Cole has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. On November 19, 1974, 18-year-old Milton Cole and his codefendants participated in an armed home invasion wherein 25-year-old Thomas Valentine was killed. Mr. Cole was returned to custody in 2003 for the commission of an armed robbery while on parole release for the governing offense. He has a history of parole failures resulting in additional convictions. The Board notes that he completed the Reentry Readiness Workshop shortly before this hearing. However, he has done virtually no rehabilitative programming despite over forty years in the institution. Mr. Cole is encouraged to complete the Criminal Thinking 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. Cole'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. Cole's risk of recidivism. After applying this standard to the circumstances of Mr. Cole's case, the Board is of the opinion that Milton Cole is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Cole's next appearance before the Board will take place in one year from the date of this hearing. During the interim, the Board encourages Mr. Cole 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.


Pamela Murphy, General Counsel

1/18/23
Date