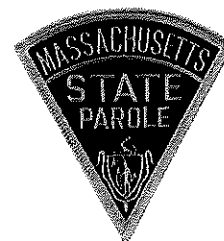




*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

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**RECORD OF DECISION**

**IN THE MATTER OF**

**ROCKLAND BAINES**  
**W57797**

**TYPE OF HEARING:**        **Review Hearing**

**DATE OF HEARING:**       **November 9, 2023**

**DATE OF DECISION:**     **February 26, 2024**

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse

**VOTE:** Parole is denied with a review in one year from the date of the hearing.<sup>1</sup>

**PROCEDURAL HISTORY:** On May 2, 1995, Rockland Baines pleaded guilty in Hampden Superior Court to murder in the second degree for the death of John Meddar. He was sentenced to life in prison with the possibility of parole. On that same date, he was also sentenced to serve a concurrent sentence of 3 to 5 years for unlawfully carrying a firearm. At the time, Mr. Baines was serving a sentence following his January 12, 1995 convictions in Hampden Superior Court for assault and battery with a dangerous weapon and possession of a firearm. He was sentenced to 4 to 5 years and 2 ½ to 3 years<sup>2</sup> in prison for those offenses, respectively. His parole-eligible life sentence and his concurrent 3 to 5 year sentence resulting from his May 2, 1995 murder and firearms convictions were ordered stayed until May 8, 1995, and were then ordered to run concurrent with the sentences imposed on January 12, 1995. Parole from his murder sentence was denied following a waived initial hearing in 2009. Mr. Baines postponed his hearings in 2014, 2019, and 2022. On November 9, 2023, Mr. Baines appeared before the Board for a review hearing. He was represented by Attorney Richard Goldman. The Board's decision fully incorporates, by reference, the entire video recording of Mr. Baines' November 9, 2023 hearing.

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<sup>1</sup> One Board Member voted to grant parole. One Board Member voted to deny parole with a review in 2 years.

<sup>2</sup> This sentence was later modified to 1 year in the House of Correction under MGL c. 269 § 10(h), prescribing a jail term of not more than one year for a first offense under this statute.

**STATEMENT OF THE CASE:** On November 25, 1993, 17-year-old Rockland Baines attended the Panache Club in Springfield. That night, the club hosted a disc jockey competition featuring contenders from Hartford, Connecticut and Springfield, Massachusetts. The competition ended in the early morning hours of November 26, 1993, at which time an argument began over whether Hartford or Springfield had won. A witness to the argument observed a person holding a gun in his hand. This person was later identified through a photographic array as Rockland Baines by two witnesses who knew him as "Rocky." The witness to the argument observed that Mr. Baines had directed his attention towards a person the witness believed was associated with the Hartford competitors, John Meddar. Mr. Baines subsequently shot 35-year-old John Meddar with a silver handgun. Mr. Meddar suffered several gunshot wounds and died from his injuries. Mr. Baines fled the shooting. He was arrested in June 1994 in connection with the shooting and convicted on January 12, 1995.

**APPLICABLE STANDARD:** Parole "permits 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 incarcerated individual'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 their 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 incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

In the context of an individual convicted of first or second-degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has "a meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 466 Mass. 655, 674 (2013). The factors considered by the Board include a juvenile's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015). The Board also recognizes the incarcerated individual's right to be represented by counsel during his appearance before the Board. *Id.* at 20-24.

**DECISION OF THE BOARD:** Mr. Baines is 47-years-old. He was 17-years-old at the time of his offense. The Board considered the *Diatchenko-Miller* factors and acknowledge Mr. Baines has previously waived and postponed his parole hearings and, thus, this is his first appearance before the Board. Mr. Baines experienced difficulties in his institutional adjustment. Dr. Katherine Herzog's forensic evaluation explained Mr. Baines' difficulties stemmed from adverse childhood experiences. Mr. Baines scores at a high-risk level on the LS/CMI. Mr. Baines' institutional history includes 68 disciplinary reports, but the Board notes he has been d-report free for the last two

years and is showing improved institutional behavior. The Board recognizes Mr. Baines' participation in programming, but hopes that he re-commits to programming opportunities and any educational or vocational programs available to him.

The Board considered the testimony of Dr. Herzog and Lauren Honigman, LICSW. Hampden County ADA Michael Julian spoke in opposition. Mr. Baines' nephew spoke in support.

*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.*

  
Tina M. Hurley, Chair

  
Date