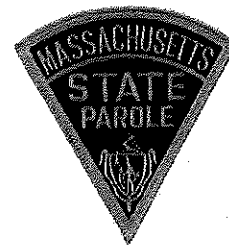




The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760



Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Terrence M. Reidy
Secretary

Telephone: (508)-650-4500

Facsimile: (508)-650-4599

Tina M. Hurley
Chair

Lian Hogan
Executive Director

RECORD OF DECISION

IN THE MATTER OF

ROCKLAND BAINES
W57797

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **November 19, 2024**

DATE OF DECISION: **March 18, 2025**

PARTICIPATING BOARD MEMBERS: Edith Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, Rafael Ortiz

VOTE: Parole is granted to LTRP (Long-Term Residential Program), preferably Dismas House, after a one year step-down to lower security.

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 years¹ 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 concurrently with the sentences imposed on January 12, 1995.

Parole was denied following a waived initial hearing in 2009. Mr. Baines postponed his hearings in 2014, 2019, and 2022. He was denied parole after his 2023 hearing. Mr. Baines, now 48-years-old, appeared before the Board for a review hearing on November 19, 2024. He was represented

¹ 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.

by Attorney Richard Goldman. The Board's decision fully incorporates, by reference, the entire video recording of Mr. Baines' November 19, 2024 hearing.

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 John Meddar, a person the witness believed was associated with the Hartford competitors. 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: This is Mr. Baines' second appearance before the Board. He was 17-years-old at the time of the offense. The Board took into consideration the Diatchenko-Miller factors. Mr. Baines has strong family support and a strong re-entry plan. He has engaged in mental health supports. He has committed to Vocational Training and received his OSHA

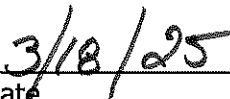
certification in January 2024. He has completed Victim Impact programming. He presented with insight into his actions. He presented with empathy. The Board reviewed Dr. Herzog's report and considered her testimony and assessment of low risk for violence and recidivism. Mr. Baines' recent disciplinary report did not affect his risk level, according to Dr. Herzog. The Board notes Mr. Baines' pending disciplinary report, but given the circumstances finds that his parole is not incompatible with the welfare of society.

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

SPECIAL CONDITIONS: Waive work for program; Curfew: Must be home between 10PM and 6 AM for the first 6 months; Electronic monitoring for the first months and then at request of Parole Officer if necessary; 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; No contact with victim(s)' family; Must have mental health evaluation and comply with recommended treatment plan; Must have substance abuse evaluation and must comply with recommended treatment program; Counseling; Long-Term Residential Treatment Program; Mandatory Open Sky

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