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PAROLE BOARD

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Josh Wall
Chairman

DECISION

IN THE MATTER OF

STEPHEN BLANEY

W54642

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: June 25, 2013

DATE OF DECISION: July 12, 2013

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, criminal record, institutional record, the views of the public as expressed at the hearing or in written submissions to the Board, we conclude by a unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in five years.

I. STATEMENT OF THE CASE

On February 2, 1998, Stephen Blaney, age 56, walked into the Tremont Pharmacy in Peabody and bought cough syrup. A few minutes later, he returned to the store and told the clerk that he wanted to speak with the pharmacist about the cough syrup he had just purchased. When the clerk turned to get the pharmacist, Blaney produced what appeared to be a gun,¹ placed it against the clerk's back, and ordered him to walk behind the counter. The clerk complied. Once behind the counter, Blaney ordered the clerk and the pharmacist to the ground and pointed the gun at them. He then stole approximately \$142.00 from the cash register and prescription drugs from the pharmacy and left the store. Blaney was apprehended a short time later, and both the clerk and the pharmacist positively identified him as the person who had robbed the store.

¹ The "gun" was a plastic toy gun that had been painted black to look like an actual firearm.

On December 16, 1998, on the first day of his trial in Essex Superior Court, Blaney pleaded guilty to armed robbery and was sentenced to serve life in prison. He also pleaded guilty to assault by means of a dangerous weapon and was sentenced to serve a concurrent four to five year prison term.² During his change of plea, the sentencing judge said that he did not "think [he had] ever seen a criminal record that has had as many separate, long, state prison incarcerations" as Blaney's. He went on to state, "It is clear Mr. Blaney will go on committing crime for as long as he is able to" and predicted that Blaney would "be a danger to this community for the rest of his life."

As noted during Judge Whitehead's comments during sentencing, Blaney has a lengthy criminal history dating back to a 1961. His crimes are varied, ranging from a number of larcenous convictions to violent and sexual offenses. His first incarceration was in 1962 for breaking and entering and larceny. He served one year.

After a number of short incarcerations for various crimes committed between 1964 and 1968, in October 1968, he was sentenced to serve 14 to 20 years for armed robbery, nine to ten years for assault with intent to kill and escape, eight to ten years for larceny of motor vehicle, and three to five years for assault and battery on a corrections officer. The next year, he was sentenced to serve a concurrent three to five year term for forgery and uttering. In January 1974, he was sentenced to serve four to five years for assault by means of a dangerous weapon. The next month, he was sentenced to serve one to two years for another escape conviction. Later that year, in May 1974, he was convicted of two counts of armed robbery and one count of assault by means of a dangerous weapon. He was sentenced to serve six to ten years for the armed robberies, and four to five years for the assault conviction. Two years later, in 1976, he was convicted of carrying a dangerous weapon. In 1980, he was convicted of another armed robbery, and sentenced to serve 18 to 20 years in prison.

Then, in 1993, Blaney was convicted of breaking and entering in the nighttime, larceny from a building, contributing to the delinquency of a minor, rape, two counts of accessory after the fact, and two counts of receiving stolen property. Five years later, while on probation for the 1993 offenses, Blaney committed the armed robbery at the Tremont Pharmacy for which he now seeks parole. In total, Stephen Blaney has had 104 adult arraignments.

II. PAROLE HEARING ON JUNE 25, 2013

Stephen Blaney, age 70, appeared for his initial parole hearing on the life sentence he is serving for armed robbery. He told the Board that "things are going pretty good in prison; I go to the gym and exercise." He said he attends AA weekly, but does not have other program participation. He acknowledged that "AA is the only program I've ever done." He offered the false excuse that "there are no programs" in the facilities where he has lived.

² On June 26, 1998, after a surrender hearing, Blaney's probation for breaking and entering in the nighttime with the intent to commit a felony was revoked and he was sentenced to serve the balance of a 12 to 15 year prison term. His sentences for the armed robbery and assault by means of a dangerous weapon were ordered to run concurrent with this sentence.

Blaney has a poor record of institutional conduct as documented with 88 disciplinary reports. His recent behavior includes 25 disciplinary reports in 2011 and 39 disciplinary reports in 2012. He said, "I don't recall what they were for" and made the false statement that "I get along with staff, I don't recall any disciplinary history with staff." Blaney's history includes recent schemes to obtain social security disability benefits fraudulently, obtain money from charitable organizations under false pretenses, and create false documents to support his release from custody. At the hearing, Blaney falsely denied most of this activity but did say, "I remember forging a letter for social security; I didn't know I couldn't get social security in prison."

The inmate's criminal history includes 1992 charges related to sexual misconduct with teenage boys. The police investigation established that Blaney, at age 50, frequently provided drugs and alcohol to teenage boys as part of scheme to lure them into sexual activity.

Board Members asked Blaney about his parole in 1978 on an armed robbery case. Blaney said, "I was on parole a long time ago; I forget what happened." In fact, Blaney went whereabouts unknown on that parole and committed an armed robbery using a handgun.

Blaney told the Board that "I've done enough time; no one was hurt or killed; alcohol is my only problem." He seeks parole to live with his adult daughter. He said, however, that he does not receive visits from his daughter. He has no other community support.

Essex Assistant District Attorney Philip Mallard spoke in opposition to parole. He noted Blaney's two escapes, failed previous parole, and his scheme to forge letters to the Department of Correction from the Governor and the Parole Board authorizing his release from custody.

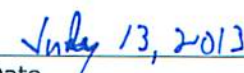
III. DECISION

Stephen Blaney is serving a life sentence for armed robbery. A judge imposed the life sentence after evaluating Blaney's long and violent criminal record, concluding that, "He will be a danger to the community for the rest of his life." Blaney has made no effort to reform his criminal thinking and behavior: he has no rehabilitative program participation and is a very poorly behaved inmate. He is not rehabilitated. He would re-offend if released and his release is not compatible with the welfare of society. Accordingly, parole is denied. The review will be in five years.

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.



Josh Wall, Chairman



Date