



Deval L. Patrick
Governor

Andrea J. Cabral
Secretary

The Commonwealth of Massachusetts
Executive Office of Public Safety

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone # (508) 650-4500
Facsimile # (508) 650-4599



Josh Wall
Chairman

DECISION

IN THE MATTER OF

STEPHEN KING

W55150

TYPE OF HEARING: **Revocation Review Hearing**

DATE OF HEARING: **April 8, 2014**

DATE OF DECISION: **July 31, 2014**

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard Hogan, Tina Hurley, 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 inmate's testimony at the hearing, and the views of the public as expressed at the hearing or in writing, we conclude by a vote of 5-1 that the inmate is suitable for parole to an approved home plan on or after August 14, 2014. Board Member Sheila Dupre voted to deny King's parole.

I. STATEMENT OF THE CASE

On August 3, 1991, at approximately 9:45 a.m., police responded to a shooting at the Charm Café in Springfield. According to several witnesses, Stephen King along with several co-defendants, including Leon Goffe, entered the bar to collect money from Patrick Sheklude, age 30. Reportedly, Sheklude was indebted for purchasing ¼ ounce of cocaine. Stephen King shot the victim with a 9mm Beretta that he had procured from Shawn Campbell. He fled the scene. King and his co-defendants eventually arrived at King's Montpelier Street apartment. Once in the apartment, they discussed the details of the shooting of Patrick Sheklude. Mr. Sheklude died from two gunshots to the abdomen.

Springfield Police executed a search warrant at Shawn Campbell's apartment and recovered the murder weapon used by King. Shawn Campbell provided information to police that incriminated King.

On September 30, 1993, in Hampden Superior Court, after a trial by jury, Stephen King was found guilty of second degree murder and sentenced to life imprisonment. On appeal, the conviction was affirmed by the Appeals Court in 1995. *Commonwealth vs. Stephen King*, 95-P-1112.

II. PAROLE HISTORY

Following his initial hearing on May 22, 2007, King was granted parole that required him to serve an additional six months in lower security. The Parole Board noted that King took responsibility for the murder of Mr. Sheklude, had been program involved, and had excellent work evaluations. King was paroled to the Brooke House on October 24, 2008 and completed that program in four months. Upon completion of the program, King sought a transfer to live with his mother in New York City but instead moved in with his girlfriend in Walpole after learning she was pregnant with his son. At this point, their relationship was not stable; however, he thought he could make their relationship work for the sake of their son.

King collected SSDI due to nerve damage to his left eye caused by a prior gun-shot wound; however, he was able to work and secured employment as an assistant manager at a department store. In addition, King began to develop what he called a community based program to assist inner city youth at risk for violence, gang activity, and drug addiction. His program, called Growing Stars was affiliated with the music business Black Well Enterprise LLC, which King stated was a music entity established in 2012 that he helped develop.

Reports indicated that King was initially adjusting well; however he received numerous graduated sanctions for failing to pay his supervision fees. His payments were inconsistent throughout his parole, and he remained in arrears until he was returned to custody. In addition, King began having conflicts in his relationship with his girlfriend, Abigail Clark, who is also the mother of his son. On July 8, 2012, he was served a 209A Restraining Order by the Walpole Police Department. The plaintiff was Ms. Clark. King was later arrested for domestic assault & battery as well as two counts of a 209A abuse prevention order violation. Ms. Clark, among other allegations, reported that he had grabbed her by the wrists and would not let her go. King was found not guilty of the assault & battery after a jury trial on July 15, 2013. The remaining charges were dismissed on October 2, 2013. King continues to insist that the allegations were fabricated.

King was also cited by his parole officer for leaving the state of Massachusetts and traveling to New York in excess of 24 hours without permission from his parole officer. A receipt showing that a rental car was damaged and paid for by "Ricardo Stephenson," which is an alias for Stephen King, revealed that the person renting the car was in New York for over 24 hours. In addition, given that King was in arrears with his supervision fee, it was questionable as to how he could come up with a substantial amount of money for such repairs. Based on the above concerns, King was taken into custody on July 10, 2012.

Following his arrest, his Parole Officer conducted an inventory of King's personal property and found \$5,900 in cash as well as a bank account with over \$21,000. In addition, a camouflage vest, ski mask, gloves, and several pieces of expensive jewelry, with various receipts signed by other individuals were also found. He was cited for numerous violations that related to his financial issues, failure to pay his supervision fees, leaving the state in excess of 24 hours without permission, and other issues related to his overall conduct on parole. King

responded to each violation during his interview with the hearing examiner on 7/17/12. King acknowledged that his supervision fees could have been paid, but provided an explanation for all violations for the Parole Board's review. The Parole Board affirmed the revocation on all counts on July 22, 2012 and requested a full hearing to address his overall conduct on parole.

III. PAROLE HEARING ON APRIL 8, 2014

Stephen King appeared for his review hearing and was represented by Attorney John Rull, who provided a detailed written history of King's parole, institutional adjustment, and future aspirations. Both King and Attorney Rull presented information in opening statements, including Attorney Rull's analysis of how King meets the legal standard for parole. King addressed the Board directly for the majority of the hearing.

Since King's return to custody on July 10, 2012, he has participated in the re-entry workshop, the African American Coalition Committee, he has been working as an HSU utility worker, and he attends Muslim services. He has not been accepted to any additional programming, as he has not qualified for specialized programming. King has been issued one disciplinary report for attempting to make a three way phone call that he stated involved issues with his son. He has had an ongoing tumultuous dispute with his ex-wife in relation to custody and visitation issues with their son. King acknowledged that he must address his issues in probate court and that he cannot manipulate the system in order to ease his anxiety related to issues with his son.

The primary focus of the parole hearing was to discuss in detail King's lifestyle while on parole. It became more clear after hearing from King, Attorney Rull, King's supporters, and reviewing evidence submitted that King was working and establishing a legitimate business with the hopes that he could also help the youth in the community. The Parole Board addressed each violation with skepticism and King agreed that the violations might appear to be related to criminal activity. As the hearing progressed and all the facts were presented, the Parole Board accepted that King possessed the items for use in the music business rather than for criminal activity. He recognized that some of the activity in the music industry can give the appearance of improper conduct for a parolee. King accepted responsibility for creating the appearance of impropriety. He acknowledged that he did violate conditions of his parole which contributed to his own demise and gave his parole officer concerns that perhaps all of his conduct, including his business dealings, were questionable.

The Parole Board specifically discussed King's failure to pay his supervision fees consistently, requesting reductions in his fees, while simultaneously hiding a large sum of money in an account that his parole officer was not aware of. King stated that the money came from his mother who had invested in a savings bond for King's daughter. After his daughter's death, King stated that the money was turned over to him. He also acknowledged that he had cash coming in through his business, and he did not reveal his true income to his parole officer. King elaborated on how having money for the first time since he was an adult empowered him and he intentionally deceived his parole officer in an effort to spend the money how he chose. The Parole Board was not accepting of his full explanation as to where the money came from, and did continue to examine the issue. King admitted that the savings bond money actually came from drug proceeds that King gave to his mother when he was first incarcerated. He adamantly denied any illegal conduct during his parole, and Attorney Rull provided

documentation of his business enterprise, the car his girlfriend rented in New York, and the material possessions accrued through his business.

The Parole Board questioned King in detail about his conduct on parole. The Parole Board also examined the evidence presented and questioned his supporters, as well as those who opposed his parole. King answered each question and addressed all of his violations with the Parole Board.

King had many supporters present at his hearing and he had five people speak on his behalf. His supporters included family members, his employer, and partners from the music business. His supporters presented as established members of the community who are invested in positive citizenship and who are willing to continue to support King in his personal and professional pursuits. King and his supporters also appeared to recognize that King's own poor decisions led him to be returned to custody, and created a larger question about his overall conduct. They vowed to assist King with making his parole conditions a priority, which will ultimately contribute to his personal development, business success, and his ability to help his community. Those involved with King's business dealings corroborated all of King's testimony and also answered questions from the Parole Board.

King's ex-wife, Abigail Clark, spoke in opposition to his parole. While Ms. Clark stated that she wants King to be an active part of their son's life, she later stated that she would try and prevent such contact for the immediate future. Ms. Clark also expressed initial ambivalence about his being re-paroled, but ultimately stated that she does not believe that King is ready to re-enter society.

Hampden Assistant District Attorney Howard Safford spoke in opposition to King's parole. ADA Safford questioned King's overall credibility and whether he was able to be honest and compliant with parole in the future.

IV. DECISION

Stephen King has been re-incarcerated for 22 months. The Parole Board examined his violations closely and scrutinized all the evidence. The Parole Board concluded that King's overall conduct on parole represented positive citizenship through his efforts in his business and those he associated with. While the Parole Board had concerns with some his business activities, the Parole Board concluded that King was not engaged in criminal activity. King provided evidence to support his claims, which was further reinforced by those who testified on his behalf. King acknowledged that he made significant misrepresentations about his financial status and his ability to pay required supervision fees. He appeared to recognize this as a serious violation, and also one that led to the parole officer questioning his overall conduct. He did not minimize the poor decisions he made and acknowledged that he created enough concerns to require a return to custody in order for the Parole Board to evaluate his conduct more closely. The Board concluded that this period of incarceration was sufficient to hold him accountable and allow for additional rehabilitation.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that, "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." Applying that appropriately high standard here, the Board finds, by a vote of 4-1, that Mr. King is a suitable candidate for parole. Board Member Dupre does not believe that King is credible concerning his behavior on parole and, therefore, voted to deny parole.

SPECIAL CONDITIONS: Parole to an approved home plan on or after August 14, 2014; no drug use; no alcohol use; GPS for one year and thereafter at discretion of parole officer; counseling for adjustment issues; no travel out of state without permission from parole officer; no contact with Abigail Clark.

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