

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

TREVON MASON
W98982

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: November 28, 2023

DATE OF DECISION: July 3, 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 three years from the date of the hearing.¹

PROCEDURAL HISTORY: On July 8, 2011, in Suffolk County Superior Court, Trevon Mason pleaded guilty to murder in the second degree for the death of Tyrone Smith. Mr. Mason was sentenced to life in prison with the possibility of parole. On that same date, Mr. Mason also pleaded guilty to possession of a firearm, for which he was sentenced to 2 and 1/2 years to 2 and 1/2 years and a day in state prison, and assault by means of a dangerous weapon and assault and battery by means of a dangerous weapon, for which he was sentenced to 4 to 5 years in state prison, all to be served concurrently with his life sentence. On November 28, 2023, Mr. Mason appeared before the Board for his initial hearing. He was represented by Northeastern Law School student attorneys Sarah Riley and Timothy Shea, who were supervised by Attorney Patricia Garin. The Board's decision fully incorporates, by reference, the entire video recording of Trevon Mason's November 28, 2023, hearing.

STATEMENT OF THE CASE: On January 7, 2009, 21-year-old Trevon Mason and his 20-year-old codefendant shot and killed 37-year-old Tyrone Smith. At approximately 9:15 p.m., on January 7, 2009, Tyrone Smith arrived by motor vehicle to the area of 96 Stanwood Street in Roxbury. He was in the company of his cousin and her 8-year-old son. They walked from the vehicle to the front stair area of 96 Stanwood Street, where Trevon Mason and his co-defendant were waiting on the side of the building next to 96 Stanwood Street.

¹ One Board Member voted to deny parole with a review in one year from the date of the hearing.

As Tyrone Smith, his cousin, and her son ascended the stairs, Mr. Mason and his codefendant walked out from beside the building and approached, opening fire. Both Mr. Mason and his codefendant fired handguns at the group of three as they stood trapped in the foyer area doorway of 96 Stanwood Street. Tyrone Smith's cousin and her son fell to the floor with Tyrone Smith on top of them as they tried to get in the front door. Mr. Mason then ran up the stairs and approached the front door of 96 Stanwood Street. He continued firing into the foyer area, striking Tyrone Smith multiple times and striking Mr. Smith's cousin once in her shoulder. Tyrone Smith succumbed to his injuries and was later pronounced dead in the foyer of 96 Stanwood Street. His cousin was transported to the hospital, where she was treated for her injuries.

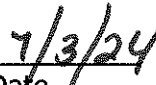
Both Mr. Mason and his co-defendant fled as police responded. Mr. Mason's codefendant was stopped nearby within minutes. Mr. Mason was also located by police minutes after the shooting on the third-floor porch of a residence on a parallel street. Footprints in the freshly fallen snow were located coming from the area of a ground level porch next to where Mr. Mason was located and leading to the residence where he was found. Underneath the porch, a .45 Hi-Point handgun was located. That firearm was later determined to be the handgun that fired the bullets that struck both Tyrone Smith and his cousin. Mr. Mason was held by Boston police on charges relating to the firearm located under the porch. His codefendant was interviewed and released, but was later arrested in Maine on a warrant for unrelated charges. Mr. Mason's codefendant made a subsequent statement in which he admitted to police that he had shot Tyrone Smith, but indicated that he had done so alone.

APPLICABLE STANDARD: Parole "[p]ermits 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 the incarcerated individual's 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).

DECISION OF THE BOARD: This is Mr. Mason's initial appearance before the Board. Mr. Mason's institutional history is concerning with over 38 disciplinary reports, including assaults. Mr. Mason's criminal history involves acts of violence. His use of substances while incarcerated is troubling, although Mr. Mason reports he has been sober since 2022. Mr. Mason has not fully engaged in the rehabilitative process. His programming history is minimal. The Board notes Mr. Mason's participation in Violence Reduction in 2022 and his OSHA training in 2023 and encourages him to continue to engage in programming, including Correctional Recovery Academy (CRA), which Mr. Mason indicated he was interested in. The Board also encourages Mr. Mason to continue to engage in his educational pursuits through Mt. Wachusett Community College.

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