

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

WILLIAM FLORENTINO
W36847

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: January 7, 2025

DATE OF DECISION: May 15, 2025

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

VOTE: Parole is granted to an approved home plan or Sober House.¹

PROCEDURAL HISTORY: On December 18, 1978, following a jury trial in Middlesex Superior Court, William Florentino was convicted of first-degree murder and armed robbery. He was sentenced to life in prison without the possibility of parole upon conviction of first-degree murder.² With respect to the armed robbery conviction, Mr. Florentino was sentenced to a concurrent term of life in prison with the possibility of parole.

Mr. Florentino became parole eligible following the Supreme Judicial Court's decision in Commonwealth v. Mattis, 493 Mass. 216 (2024), where the Court held that sentencing individuals who were ages 18 through 20 at the time of the offense (emerging adults) to life without the possibility of parole is unconstitutional. As a result of the SJC's decision, and with regard to Mr. Florentino's first-degree murder conviction, his mittimus was updated to reflect that his life sentence carried the possibility of parole after 15 years.

¹ The Board voted unanimously to grant parole.

² On April 11, 2024, Mr. Florentino appeared before the Advisory Board of Pardons for a commutation hearing. The Board unanimously recommended that Mr. Florentino's petition for commutation be granted. The decision is pending with Governor Healey.

On January 7, 2025, Mr. Florentino appeared before the Board for an initial hearing. He was represented by Attorney Patricia DeJuneas. The Board's decision fully incorporates by reference the entire video recording of Mr. Florentino's January 7, 2025, hearing.

STATEMENT OF THE CASE: On December 16, 1977, William Florentino and William Smallwood robbed Vatour's Liquor Store in Everett. During the robbery, Edward Stevens, a customer, was shot and killed. Mr. Florentino was 20-years-old at the time of the murder. Mr. Florentino did not pull the trigger, but he was an active participant in the robbery. When both men entered the store, Mr. Smallwood, who was armed with a .38 caliber handgun, announced, "This is a hold up," and placed the gun to a customer's head. The owner of the liquor store opened the cash register, and Mr. Florentino removed the cash. While Mr. Florentino was emptying the register, Edward Stevens entered the liquor store. Mr. Smallwood ordered Mr. Stevens to move to the rear of the store, but Mr. Stevens did not comply. In response, Mr. Smallwood shot and killed him. Both men fled from the store.

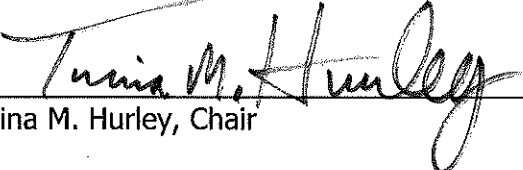
APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain 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 inmate'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 inmate'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 inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board.


Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). Individuals who were emerging adults at the time of the offense must be afforded a "meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation" and the Board evaluates "the circumstances surrounding the commission of the crime, including the age of the offender, together with all relevant information pertaining to the offender's character and actions during the intervening years since conviction." Id. (citing Diatchenko v. District Attorney for the Suffolk Dist., 466 Mass. 655, 674 (2013) (Diatchenko I); Miller v. Alabama, 567 U.S. 460, 471 (2012); Graham v. Florida, 560 U.S. 48, 75 (2010)). Since brain development in emerging adulthood is ongoing, the Board also considers the following factors when evaluating parole candidates who committed the underlying offenses as an emerging adult: 1) a lack of impulse control in emotionally arousing situations; 2) an increased likelihood to engage in risk taking behaviors in pursuit of reward; 3) increased susceptibility to peer influence which makes emerging adults more likely to engage in risky behavior; and 4) an emerging adult's greater capacity for change. See Mattis, 493 Mass. at 225-229.

DECISION OF THE BOARD: Mr. Florentino was a joint venturer in an armed robbery, where his co-defendant shot and killed Edward Stevens in 1977. He has served 47 years of a life sentence. Mr. Florentino was 20-years-old at the time of the offense. The Board considered factors relating to his age and significant trauma history. Mr. Florentino is now 67-years-old and has invested significantly in rehabilitation and education. He has earned his GED and bachelor's degree. He has been very involved in Restorative Justice, participates in his religious community, serves as a minister, and participated in Locks of Love. He has earned several awards for community service. Mr. Florentino is 33 years sober and participates in 12-Step work, AA, and NA. He has been consistently employed for over 40 years. He serves as a mentor to other inmates and has not had any disciplinary reports in 15 years. He has supports to assist with reintegration.

SPECIAL CONDITIONS: Approve home plan before release; Waive work for 2 weeks or retirement; Supervise for drug abstinence with testing in accordance with Agency policy; Supervise for liquor abstinence with testing in accordance with Agency policy; Report to assigned MA Parole Office on day of release; No contact with victim(s)' family; Counseling for transition/adjustment; Attend AA at least three times per week; Sober House or approved home plan.

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