



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

STEPHEN MYERS

W31962

TYPE OF HEARING: Review Hearing

DATE OF HEARING: June 1, 2017

DATE OF DECISION: May 3, 2018

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Lucy Soto-Abbe

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the 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 written submissions to the Board, we conclude that the inmate is a suitable candidate for parole to a long term residential program, after successful completion of 6 months in lower security.¹

I. STATEMENT OF THE CASE

On November 8, 1968, after a jury trial in Suffolk Superior Court, Stephen Myers was convicted of the second degree murder of Steven Dunning and was sentenced to life in prison with the possibility of parole. At the time of the governing offense, Mr. Myers was on parole from a sentence for conviction of use without authority.

On the evening of March 30, 1968, Florette Johnson, Stephen Myers, and Steven Dunning were amongst those in attendance at a church dance in Roxbury. At around 10:30 p.m., Miss Johnson saw Mr. Myers go to a table where Mr. Dunning was sitting, and she followed. When she approached the table, she heard Mr. Myers say that Mr. Dunning had done something to him a long time ago, and that he was going to kill him. Mr. Dunning told Mr.

¹ Five Board Members voted to parole to a long term residential program after six months in lower security. One Board Member voted to deny parole with a review scheduled in 3 years from the date of the hearing.

Myers to leave him alone, but Mr. Myers took a switchblade knife and flipped it open. At this point, Mr. Dunning had gotten up and started moving backwards in an effort to get away. Mr. Myers then stabbed Mr. Dunning twice in the chest. Mr. Dunning was subsequently taken to a hospital where, two weeks later, he died. On May 18, 1968, Mr. Myers was arrested by two police officers.

II. PAROLE HEARING ON JUNE 1, 2017

Mr. Myers was on parole from a sentence for conviction of use without authority at the time of the governing offense in 1968. He was first paroled on the governing offense in 1986, but his parole was revoked in 1988. Mr. Myers was again paroled in 1989, but his parole was revoked in 1990, for failure to comply with certain conditions of parole. Mr. Myers had five subsequent review hearings, all resulting in the denial of parole. In 2004, Mr. Myers was paroled to a long term residential program ("LTRP") with special conditions. In June 2016, however, Mr. Myers was found to be associating with persons with a criminal record. Mr. Myers stated that two individuals (who had criminal records) asked him for a ride home and he agreed. At some point during the car ride, Mr. Myers was stopped by Bourne police for a minor motor vehicle infraction, and the other two individuals in the car were identified. Sometime after the stop, Mr. Myers called his parole officer to inform him of what had transpired. Mr. Myers was given a final warning, and his conditions were amended to include GPS monitoring. Then, in September 2016, it was determined that Mr. Myers was again associating with individuals with a criminal record, and that he had violated other special conditions of his parole. Parole was revoked, and he was returned to custody.

Mr. Myers, now 70-years-old, appeared before the Parole Board on June 1, 2017, for a review hearing. He was not represented by counsel. In his opening statement to the Board, Mr. Myers apologized for violating his parole. With respect to the governing offense, Mr. Myers stated that he was "wrong" and "ask[ed] for forgiveness." Mr. Myers expressed his desire to be re-paroled and indicated that since his most recent incarceration, he suffered a stroke that left him blind in one eye. When asked why he believes he should be re-paroled, Mr. Myers indicated that he did well on parole for approximately 12 years and "knows he can do better." He stated that he put himself in a poor position (in associating with individuals with criminal records) because he tries to "help people." He also said that he began drinking alcohol again after the death of his son. The Board noted that in spite of Mr. Myers' more recent violations, he remained in frequent contact with, and had a good rapport with, his parole officer over the course of the past 12 years. While on parole from 2004 to 2016, Mr. Myers was gainfully employed as a taxi driver and, overall, appeared to be doing well. Mr. Myers indicated that if paroled, he would be able to return to work at the taxi company as a dispatcher.

The Board considered letters of opposition from the Suffolk County District Attorney's Office and the Boston Police Commissioner.

III. DECISION

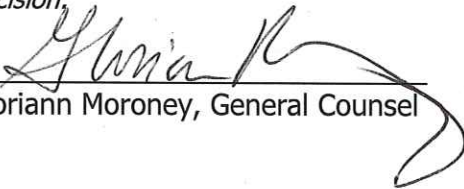
Stephen Myers has been re-incarcerated for approximately 1 year and has had a positive adjustment since his return to custody. Mr. Myers' parole violations were alcohol and association-related. He was steadily employed while under parole supervision for 12 years. His parole officer is willing to continue working with him.

The applicable standard used by the Board to assess a candidate for parole is: "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." 120 C.M.R. 300.04. In forming this opinion, the Board has taken into consideration Mr. Myers' institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Myers' risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Myers' case, the Board is of the opinion that Stephen Myers is a suitable candidate for parole to a long term residential program, after successful completion of 6 months in lower security.

SPECIAL CONDITIONS: Waive work for LTRP (Long Term Residential Program), Electronic monitoring at Parole Officer's discretion; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor, testing in accordance with agency policy; Report to assigned MA Parole Office on the day of release, No contact with [names]; Long term residential treatment program; Attend AA/NA at least 3 times/week.

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.


Gloriann Moroney, General Counsel

5/3/18
Date