



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

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DECISION

IN THE MATTER OF

RALPH STEVENSON

W40382

TYPE OF HEARING: Revocation Review Hearing

DATE OF HEARING: December 3, 2013

DATE OF DECISION: July 7, 2014

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, 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, institutional record, the views of the public as expressed at the hearing or in written submissions to the board, and the inmates testimony at the hearing, we conclude by a unanimous vote that the inmate is in need of a specific release plan that will be reviewed by the Board prior to making a final decision. The official vote is Action Pending.

I. STATEMENT OF THE CASE

On November 21, 1981, sometime between 10:00 P.M. and midnight, Francis Driscoll (age 58) was murdered in his first floor apartment at 1341 Dwight Street in Holyoke. At approximately 3:00 P.M., on November 22, 1981, Holyoke police found the victim in his apartment. At the time his body was discovered, the victim's apartment appeared ransacked. When discovered, the victim was lying on his kitchen floor with a knife protruding from his back. The police had been alerted to the stabbing and led to the scene of the crime by Ralph Stevenson. Minutes before, Stevenson had phoned the Holyoke Police Station and was connected with the Detective Bureau's on-duty officer, Harvey Moreau. At that time, he told Officer Moreau that he had witnessed the stabbing murder of his friend, "Bob" by three Spanish males in the victim's Dwight Street apartment the previous evening. Upon being interviewed, Stevenson added details to support his fictitious claim. Consequently, the police conducted an investigation and found forensic and other evidence that connected Ralph Stevenson to the crime. The police quickly arrested Stevenson for the stabbing death of Mr. Driscoll.

On March 31, 1984, following a jury trial in Hampden Superior Court, Stevenson was convicted of second degree murder and sentenced to serve life in prison. He filed an unsuccessful motion for a new trial in 1984 and, on appeal, the Massachusetts Appeals Court affirmed the conviction. *Commonwealth v. Stevenson*, 22 Mass. App. Ct. 963 (1986), *rev. denied*, 398 Mass. 1104 (1986). Stevenson filed post-conviction motions in 2002, 2009, and 2010. These motions have all been denied.

II. PAROLE HISTORY

Ralph Stevenson has been released on parole five times since 2004. He was most recently returned to custody in 2008. He is a mentally challenged man who only recently became eligible for Department of Mental Retardation (DMR) services. Each parole failure has stemmed from Stevenson's poor judgment, poor money management and usually included a relapse on alcohol. He has also engaged in solicitation of prostitutes. He has been provided opportunities for treatment in the community, but has not been able to sustain his sobriety for lengthy periods of time. The parole officers have routinely noted that violations have been relatively minor; however, after failed efforts to keep Stevenson in the community with treatment and other interventions, the field parole officers have felt they have had no choice but to eventually return Stevenson to custody. The supervising parole officer noted that Stevenson was not capable of the level of independence that he was receiving on parole. Stevenson exercised extremely poor money management skills and was not making his appointments, and he was socializing with individuals who were not in his best interest. Much effort and attention was given to Stevenson to establish sober housing that also provided some supervision and treatment. Stevenson's most recent parole period was from March 12, 2008 to September 9, 2008, when he was returned to custody. His violations consisted of alcohol use and failure to comply with the rules of his sober house.

Through the efforts of his parole officer, during his most recent period on parole, Stevenson applied for and was found eligible for DMR services. Unfortunately, he was returned to custody before he could take advantage of the services.

III. PAROLE HEARING ON DECEMBER 3, 2013

Ralph Stevenson presented as being very low functioning due to mental retardation. He required questions to be formulated in a simple, concrete manner. Stevenson was cooperative and did appear to do his best in being forthcoming and honest.

The focus of the hearing was on Stevenson's inability to maintain sobriety and comply with other conditions that would prevent him from being returned to prison. The Parole Board emphasized that the last resort is to return Stevenson to prison to serve out his life sentence based on his continued non-compliance of his conditions. Stevenson explained his daily routines and he attempted to convey the reasons why he has made some poor decisions resulting in his return to custody. He agreed that too much freedom to make his own decisions has led to his poor decisions. He stated that he does very well at work. He stated he works at the food bank and that everybody likes him and he is always eager to help others. The routine and structure of work, as well as the satisfaction he receives from being helpful and productive was identified as Stevenson's most influential source of positive conduct. He also stated he

liked attending Alcoholics Anonymous (AA) and being with his family. After further questioning about his family relationships, Stevenson revealed that he sometimes "got liquor from my family's house." He also described missing his siblings, and his mother who is now deceased, while at the same time describing that he was treated as an outsider and that his siblings have not been very supportive of him. He does not plan to visit his family in Springfield if he returns to the community. He stated now that his mother has died, he does not feel close to any of his family members. Stevenson identified that much of his drinking occurred when he was with his family or when he had come from his family's home. He also identified feelings of loneliness as precipitating drinking.

Stevenson stated he benefits from living in a home where there is "staff and people." Stevenson described the strengths and limitations of his most recent housing arrangement and level of supervision. He stated he had a sponsor from AA, but he did not reveal when he had been drinking. He also stated "they made me go to a counselor at the house, I liked that." The benefits of counseling were described as someone to just talk to. Stevenson was also asked about his money management and why he wasn't paying his rent when he was moved to a section 8 apartment. He stated, "they never told me I had to pay rent. The lady took care of those things for me." (He appeared to be referring to a representative payee, but it is unclear if that was a formal payee or just a friend.) The Parole Board questioned exactly who was managing his money and had some concerns that the agreement between himself and this person was not a very good system. Stevenson stated that "she's never around so they gave me a card for banks. I had food stamps." Stevenson acknowledged that he sometimes used his money to buy alcohol or to hire prostitutes. He agreed that he would benefit from having an appointed representative payee who would manage all of his money. When asked what else he thought would be helpful in keeping him on the right track, he stated "I need to have people around me." He was asked if he meant staff, and if he would be willing to live in a home that was supervised as much as 24 hours a day. He stated, "Yes I think that would be good. When I'm in a program there are people around me so I won't hear that little voice that says it's ok to take a little drink." Stevenson also stated that he would like to attend AA and have a counselor, and he looked forward to returning to his job at the food bank. He emphasized that during his periods on parole he has never hurt anyone or himself. The Parole Board raised the point that during the commission of his governing offense, alcohol was involved which leads the Parole Board to be especially concerned about alcohol use. Stevenson stated that he is not an angry person and he thinks with the right housing, supervision, returning to his job that he finds meaningful, and with increased supervision, counseling and AA he would be able to continue to live in the community without any further issues that would result in his return to custody.

Stevenson remains eligible for DMR services. He agreed that he would benefit from such services and the new opportunities that he would have as a result of being a DMR client. Stevenson expressed gratitude toward his parole officers for continuing to help and support him, and to the Parole Board.

There were no participants present to speak in support of Stevenson's parole. Hampden Assistant District Attorney Howard Safford stated that provided Stevenson had the appropriate re-entry plan, including housing and DMR services, he would not be opposed to Stevenson's parole. ADA Safford also forwarded a letter in support of Stevenson's parole provided he is transitioned to a program that provides him with appropriate supervision and direction. Such a program must include specific supervision requirements, structure and support that would

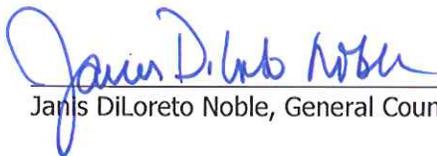
enable him to thrive. ADA Safford also included in his letter that the family of the victim must feel a sense of frustration due to Stevenson's repeated parole failures and opportunities. At the conclusion of the hearing, Stevenson thanked ADA Safford for his encouraging words.

IV. DECISION

Due to Ralph Stevenson's profound functional limitations, which coincide with his need for more support and structure, the Parole Board is seeking the assistance of appointed counsel to assist him with developing a proposed re-entry plan that will address all of his needs. Stevenson is now afforded the services of DMR, which will likely provide him with more opportunities to establish an appropriate system of care. Stevenson's violations on parole are primarily related to alcohol. The issues that lead to his alcohol use and other areas where he becomes self-destructive include poor relationships, lack of productive structure in his life, poor money management, and lack of daily supervision. It is imperative that Stevenson transition to an environment that can provide him with monitoring and assistance with his daily living needs. Stevenson does not present as a man with criminal thinking or intent. He presents as a low functioning man who would succeed in the community with comprehensive services.

The standard 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 an 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, the Parole Board concludes that Stevenson is in need of a specific release plan that will incorporate the services of DMR, a representative payee, supervised housing, and a structured plan for daily activities prior to consideration of parole. The Parole Board has requested the services of Attorney Margaret Fox to assist Stevenson with a proposed release plan that addresses the aforementioned.

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.



Janis DiLoreto Noble, General Counsel



Date