



The Commonwealth of Massachusetts  
Executive Office of Public Safety



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**STEPHEN WOJCIK**

**W56662**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** November 19, 2013

**DATE OF DECISION:** March 7, 2014

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Ina Howard-Hogan, Josh Wall

**DECISION OF THE BOARD:** After careful consideration of all relevant facts, including the nature of the underlying offense, institutional record, the testimony of the inmate at the hearing, and the views of the public as expressed at the hearing or in written submissions to the Board, we conclude by a unanimous vote that the inmate is a suitable candidate for parole. Parole is granted to a long term residential program after one year in lower security at the Department of Correction (DOC) during which time Stephen Wojcik must maintain good conduct and comply with all DOC expectations for programs, activities, and employment.

**I.STATEMENT OF THE CASE**

On November 19, 2013, Stephen Wojcik appeared for his second parole hearing. On June 13, 1994 in Hampden Superior Court, Stephen Wojcik was convicted by jury of murder in the second degree pursuant to the felony-murder rule. The victim of the offense was Paul Langevin, age 70.

Wojcik, age 37, and his nephew Robert Wojcik, age 21, planned to defraud their insurance company by staging an automobile accident and collecting the proceeds. On June 3, 1993, Wojcik and his nephew intentionally caused the rented truck in which they were passengers to strike the automobile of Langevin. The plan went tragically awry when Langevin's automobile struck a utility pole and he died as a result of his injuries. Pursuant to

their scheme, Wojcik and his nephew submitted insurance claims for over \$2,000 in medical bills. Ultimately, these claims were not paid.

In planning the fraud with this nephew, Wojcik referred this scheme as his "last chance for big money" and his "last shot at life." Wojcik's nephew persuaded his friend, Marc Usher, to drive the rented truck. Usher, who was misled and under duress throughout this scheme, agreed to rent a large U-Haul truck and purchase additional insurance. Usher was under the impression that they would use the truck for legitimate work.

On June 3, 1993, while driving the rented truck, Usher approached a heavily travelled intersection in West Springfield. Wojcik's nephew said, "This would be a good place to hit a car." Wojcik agreed, and they both began chanting at Usher, "Go ahead. Do it. It's a good place." Usher stated that he had no intention of hitting a car, and told the men that he would return the truck to the U-Haul lot. Usher proceeded to ease out into the intersection. As he did, Usher saw the vehicle operated by Langevin approaching from the left. When the truck was three to four feet into the intersection, Wojcik's nephew pressed against Usher's body, put his left foot onto Usher's right foot, and depressed the accelerator. Usher tried to brake, but it was too late. The truck hit the vehicle, causing it to strike a utility pole.

Usher got out of the truck and approached the car. The driver's side was smashed in and the driver, Langevin, was severely injured and lodged under the steering wheel. Usher got someone to call 911 and waited for emergency personnel. A nurse who happened to pass by tried to administer assistance to Langevin while they waited. Langevin later died from multiple trauma, having suffered from multiple rib fractures causing a flail chest and lung injury. The combination of injuries left the victim unable to breathe.

Neither Wojcik nor his nephew expressed any concern for Langevin's well-being. Instead, after help had arrived, Wojcik said that he wanted a ride in an ambulance because that would be worth \$700 or \$800 more, and his nephew assured Usher they would get paid. In contrast to that cavalier attitude, Usher vomited twice because he was so upset.

Following a joint trial, Wojcik's nephew was found guilty by jury of murder in the second degree with malice, and was released to parole supervision on January 16, 2009. Wojcik appealed his case numerous times, contesting the application of the felony-murder rule to his criminal behavior. The appeals court affirmed the conviction. On November 18, 2008, the Board denied parole to Wojcik following an initial hearing with a five year set back.

## **II. NOVEMBER 19, 2013 PAROLE HEARING**

Stephen Wojcik was questioned extensively by the Board regarding his past criminal behavior, his intentions when he developed this scheme, and his role in the death of Langevin. Wojcik emphatically denied that he had ever engaged in any type of insurance scheme before, and that he came up with the idea after being the victim in a motor vehicle accident himself. He recognized that his desire to make money was all that he cared about, thus ignoring the potential consequences to another human being, but insisted that he never intentionally caused the death of Langevin. He detailed how he enlisted his nephew and how he participated in manipulating and pressuring Usher into participating in the scheme. Wojcik described the details of the offense and his behavior both during and following the death of Langevin. His statements were primarily consistent with testimony and witness accounts, with the exception of a statement provided by his brother Stanley Wojcik. Wojcik stated that his brother Stanley Wojcik and his sister Dorothy Wojcik could not be considered credible. He detailed a longstanding feud with both siblings that precipitated numerous false allegations they made

against him and requested that the Parole Board discount any allegations and criminal complaints that were associated with either sibling.

Parole Board members expressed some concern with Wojcik's presentation. He appeared somewhat detached and had difficulty expressing what he wanted to convey. Wojcik was represented by two student attorneys who provided additional information to help illustrate Wojcik's beliefs despite his inability to articulate effectively. As the hearing progressed, Mr. Wojcik did appear to be able to convey his thoughts more clearly, but he continued to require repeated questions and prompting by the Parole Board in order to gain necessary information.

Wojcik also struggled to convey how he has managed to establish an exceptional institutional record. He has no disciplinary reports and has remained continuously employed. Wojcik admitted that his participation in specific programming was more recent as he had hoped his appellate efforts would have been more successful, and he was not convinced that programming offered would benefit him. After he received his Parole Board decision in 2008, Wojcik reported that he realized that his positive behavior and consistent institutional employment were not enough and he became more invested in programming. During his participation in specific programs, Wojcik reports that he became more convinced that he needed to internalize what he was hearing and apply such concepts to his rehabilitation. Wojcik specifically attributed his need for investment in substance abuse treatment and support groups as influential in his rehabilitation. He stated that upon significant reflection, he believed his abuse of alcohol has played a consistent negative role in his life and he found a commitment to sobriety and the fellowship that is offered in AA to be a profound source of his positive rehabilitation and outlook on his life.

In total, Wojcik completed eleven additional programs since his last hearing. He has also continued to work in an institutional job. Wojcik stated his most important revelation through the course of his rehabilitation is how he had "trampled on people" throughout his life. He stated that he was "oblivious" to how others felt in general and attributed his self-absorbed behavior and maltreatment of others to his early feelings of abandonment following the death of both of his parents by the time he was 15 years old. Wojcik stated that since the progression in his rehabilitation, he has established increasingly close relationships with his children and others who are meaningful in his life.

Those who spoke in support of Wojcik's parole release confirmed several points that were raised throughout the parole hearing. Supporters recognized that Wojcik struggles with communicating his thoughts and appears to lack emotion, which could be interpreted as a lack of sincerity and candor. Each witness insisted his clear difficulty in communicating with the Parole Board should not be misinterpreted, because he has made significant changes that he has difficulty describing. Wojcik's two children each provided testimony that outlined his progression in his rehabilitation, including through letters and discussions he has had with them through the years. Wojcik's son provided documentation of his own successful business and ability to employ his father, as well as his experience with his father's rehabilitation and commitment to being a productive and positive member of society. Wojcik's daughter also provided testimony outlining her father's continued and significant progression in his rehabilitation. Wojcik also had other members of the community speak in support of his parole release including those who have worked with him in a mentoring role. Each supporter agreed to continue to provide services and friendship to Wojcik throughout his reintegration into society.

Speaking in opposition of Wojcik's parole were members of the victim's family. Two of Langevin's daughters, Patricia Duncan and Viola Terenzi spoke about the loss of their father, the effects of his death on their family and extended family, and the great citizen, father and husband that Langevin was. They also expressed their concern that Wojcik is not remorseful or sincere and that therefore he does not merit parole. Dawn Terenzi, granddaughter of Langevin, testified as to the effects of her grandfather's death on many of his grandchildren and that of her extended family. Assistant District Attorney Dianne Dillon testified in opposition to Wojcik's parole emphasizing how the offense affected the community as well as those close to the victim.

### **III. DECISION**

Stephen Wojcik is serving a life sentence as a participant in a joint venture for the murder of Paul Langevin. While his nephew is responsible for physically causing the accident that took Langevin's life, Wojcik recognizes that without his influence and the scheme that he created, the death of Langevin would have never occurred. His intention was to gain financial reimbursement as a result of an insurance scheme, and not to cause the death of any individual. However, he recognizes his intention to benefit financially was without considering the likelihood of harming another person.

Wojcik is among the minority of inmates who have served more than twenty years in prison with an exceptional disciplinary and occupational record. After being denied parole in 2008, despite such a positive record, Wojcik realized that in addition to his good behavior and consistent institutional employment, he needed to invest in meaningful programming to support his rehabilitation. Wojcik has invested in all recommended programming and although he had difficulty expressing himself in the hearing, it is evident by his written statements, his institutional record, and testimony of those who know him that he has benefitted from such programming. The Parole Board recognized that Wojcik struggles with his oral communication and acknowledges that those in opposition may view him as lacking in his remorse.

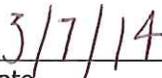
When evaluating the legal standard for parole release, it is Wojcik's actions and commitment to gaining what is expected from programming that provides evidence that is meaningful in assessing his level of rehabilitation. Wojcik has occupational skills, family support and other supports to assist him with reintegrating into society. He has identified and addressed the issues that negatively impacted his behavior and ability to establish meaningful relationships, and presents as motivated and capable of continuing to participate in necessary treatment in the community. The Parole Board concludes that, after 20 years of incarceration, the four goals of sentencing – punishment, deterrence, public protection, and rehabilitation – have been achieved.

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 Wojcik is suitable for parole because he is rehabilitated. He will be required to transition through lower security to prepare him for successful reintegration into the community. Wojcik's release on parole will be to a residential treatment program for further treatment with parole conditions and supervision.

**SPECIAL CONDITIONS:** Parole to long-term residential program after one year in lower security; no drug use; no alcohol use; AA with sponsor three times per week; counseling for adjustment issues; Hampden County Sheriff After Incarceration Support Systems Program for ongoing work related to anger management and domestic violence; no contact with victim's family.

*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.*

  
Caitlin E. Casey, Chief of Staff

  
Date