

*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

*12 Mercer Road*  
*Natick, Massachusetts 01760*



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*Telephone # (508) 650-4500*

*Facsimile # (508) 650-4599*

**RECORD OF DECISION**

**IN THE MATTER OF**

**ANIBAL IZQUIERDO**

**W87143**

**TYPE OF HEARING:**            **Review Hearing**

**DATE OF HEARING:**        **December 15, 2022**

**DATE OF DECISION:**       **January 18, 2023**

**PARTICIPATING BOARD MEMBERS:** Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

**STATEMENT OF THE CASE:** On November 14, 2003, Anibal Izquierdo pleaded guilty in Hampden Superior Court to second-degree murder in the death of Myriam Miranda and was sentenced to life in prison with the possibility of parole. On the same date, he pleaded guilty to assault by means of a dangerous weapon and was sentenced to a two to three-year sentence. Two additional counts of assault by means of a dangerous weapon and one count of unlawful possession of a firearm were filed. Mr. Izquierdo was discharged from his two to three-year sentence on February 16, 2006, at which time his life sentence commenced.

Mr. Izquierdo appeared before the Parole Board for a review hearing on December 15, 2022. He was represented by Attorney Stephen Weymouth. Mr. Izquierdo was denied after his initial hearing in 2020. The entire video recording of Mr. Izquierdo's December 15, 2022, hearing is fully incorporated by reference to the Board's decision.

**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 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.

Reserve to LTRP after twelve months in lower security and completion of renunciation process. On February 19, 2003, Mr. Izquierdo, 17 years old, shot and killed 45-year-old Myriam Miranda.

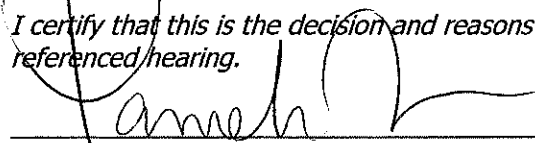
The Board considered the expert evaluation of Dr. DiCataldo. The Board recognizes Mr. Izquierdo was a juvenile at the time of the offense. He began smoking marijuana at the age of 14 and drinking alcohol at 17. He became gang involved as an adolescent and was the victim of two shooting before this incident. He obtained his GED and obtained his ServSafe certificate. He completed programs to include GSP, GMP, Alternatives to Violence, and Criminal Thinking. He presented as thoughtful and insightful with a good support network.

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 the context of an offender convicted of first or second-degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015); See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015).

The factors considered by the Board in Mr. Izquierdo's case include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.* The Board also recognizes the petitioner's right to be represented by counsel during his appearance before the Board. *Id.* at 20-24. In forming this opinion, the Board has taken into consideration Mr. Izquierdo's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Izquierdo's risk of recidivism. Applying this standard to the circumstances of Mr. Izquierdo's case, the Board is of the unanimous opinion that Anibal Izquierdo is rehabilitated and, therefore, merits parole at this time.

**Special Conditions:** Reserve to LTRP; Waive work for program; Curfew at PO's discretion; ELMO-electronic monitoring; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact or association with gangs/gang activities; No contact with victim's family; Must have substance abuse evaluation and must comply with recommended treatment plan; Counseling for transition/impulse control/anxiety/depression.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.*

  
Pamela Murphy, General Counsel

1/18/23  
Date