



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



PAROLE BOARD

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Executive Director

RECORD OF DECISION

**IN THE MATTER OF
ARMANDO RIVERA
W50524**

TYPE OF HEARING: Review Hearing
DATE OF HEARING: August 18, 2020
DATE OF DECISION: January 14, 2021

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, Colette Santa

STATEMENT OF THE CASE: On May 10, 1991, in Suffolk Superior Court, Armando Rivera was found guilty to the second-degree murder of 19-year-old Eddie Rivera. He was sentenced to life imprisonment with the possibility of parole. On that same date, he was found guilty of assault and battery by means of a dangerous weapon, for which he received a 5 to 7-year concurrent sentence.

Mr. Rivera appeared before the Parole Board for a review hearing on August 18, 2020 and was not represented by counsel at the hearing. This was Mr. Rivera's second appearance before the Board since his final revocation hearing in 2017. Mr. Rivera was previously released on parole in 2007, 2010, 2013, and 2015 but was revoked several times due to parole violations. The entire video recording of Mr. Rivera's August 18, 2020 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 parole¹. Reserve to a Long Term Residential Program. Mr. Rivera has been reincarcerated since December of 2016. Mr. Rivera has engaged in several programs to further address his substance abuse issues. In addition, he has been active in NA/AA since his return to custody. Over the past four years he has maintained employment and a positive

¹ Four Board Members voted to grant parole; three Board Members voted to deny parole.

adjustment. Re-incarceration has served its purpose. Additionally, the Field Supervisor and Parole Officer were in support of a re-parole.

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."

In forming this opinion, the Board has taken into consideration Mr. Rivera'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. Rivera's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Rivera's case, the Board is of opinion that Mr. Rivera is rehabilitated and merits parole at this time.

Special Conditions: Reserve to a Long Term Residential Program (LTRP); Waive work for LTRP; ELMO-electronic monitoring; Supervise for drugs; testing in accordance with agency policy; Supervise for liquor abstinence; testing in accordance with agency policy; Polygraph testing at PO's discretion; Report to assigned MA Parole Office on day of release; No contact or association/affiliation with any security threat group; No contact with victim(s) family; Must have mental health counseling for addiction and post-traumatic stress disorder; AA/NA at least 3 times/week; and mandatory sponsor.

IMPORTANT NOTICE: The above decision is an abbreviated administrative decision issued in an effort to render an expedited resolution in response to the COVID-19 pandemic. Mr. Rivera, through counsel, has waived his right to a full administrative decision.

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



Pamela Murphy, General Counsel

1/14/2021

Date