



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Daniel Bennett
Secretary

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Paul M. Treseler
Chairman

Michael J. Callahan
Executive Director

DECISION

IN THE MATTER OF

BRUCE DABRIEO

W34580

TYPE OF HEARING: Review Hearing

DATE OF HEARING: January 5, 2017

DATE OF DECISION: February 2, 2017

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 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 by unanimous vote that the inmate is a suitable candidate for parole. Parole is granted to an approved home plan with special conditions.

I. STATEMENT OF THE CASE

On May 10, 1974, in Essex Superior Court, Bruce Dabrieo was sentenced to life in prison with the possibility of parole for the second degree murder of of John McCormack.

On March 27, 1971, Bruce Dabrieo arranged a meeting with John McCormack at a cocktail lounge in Peabody. Mr. Dabrieo knew Mr. McCormack from illegal narcotics transactions and had owed him money. When Mr. Dabrieo and his co-defendant, Fred Szybiak, arrived at the lounge, Mr. Szybiak remained in Mr. Dabrieo's car, while Mr. Dabrieo walked toward the building. When Mr. McCormack came out of the building, he approached Mr. Dabrieo and the two men talked. Mr. Dabrieo returned to his car and said to Mr. Szybiak, "Follow us." Mr. Szybiak drove Mr. Dabrieo's car, while Mr. Dabrieo rode with Mr. McCormack in his Cadillac. They went to an apartment complex in Peabody, where Mr. Dabrieo subsequently shot Mr. McCormack inside the Cadillac. Shortly after, Mr. Dabrieo and Mr. Szybiak brought the Cadillac to a wooded area. Mr. Dabrieo poured gasoline into the Cadillac and then threw a

match on it, causing the car to explode. The burned Cadillac, with Mr. McCormack's body inside, was discovered on March 28, 1971.

II. PAROLE HEARING ON JANUARY 5, 2017

Mr. Dabrieo was denied parole after his initial hearing in 1986, as well as his review hearing in 1987. Mr. Dabrieo was paroled in 1989, but was unable to maintain his sobriety. He was returned to custody in 1990, and his parole was revoked. Mr. Dabrieo had review hearings in 1990, 1991, 1992, 1996, and 1999, all of which resulted in the denial of parole. On December 13, 2004, Mr. Dabrieo was again released to parole supervision. He was returned to custody on March 28, 2011, after an arrest for possession of heroin.

Mr. Dabrieo, now 69-years-old, appeared before the Parole Board for a review hearing on January 5, 2017, and was represented by Attorney John Rull. This was Mr. Dabrieo's second appearance before the Board since his return to custody in 2011. In his opening statement to the Board, Mr. Dabrieo expressed his remorse and apologized to Mr. McCormick's family for the harm caused by his senseless act of violence that included taking a life. In discussing the murder of Mr. McCormick, he no longer asserts that he acted in self-defense. He admitted that he and the victim did not get along and that he owed him money. Mr. Dabrieo was asked to address the circumstances of the crime he was convicted of (possession Class A), while on parole in 2011. Mr. Dabrieo said that he had relapsed a few weeks prior, when he began snorting heroin. During the past six years, however, he focused on substance abuse treatment and has maintained his sobriety. Mr. Dabrieo stated that he is adamant about abstaining from all drugs, including prescription pain medication. If granted parole, Mr. Dabrieo stated that he would follow the rules and communicate better with his parole officer.

Since late fall of 2016, Mr. Dabrieo has been receiving chemotherapy treatment for advanced pancreatic cancer. During his re-incarceration, Mr. Dabrieo also participated in numerous programs, including Smart Recovery and the Inside Out Program, and regularly attends NA/AA, 12 Step, and AA Big Book programs. He believes that these programs were instrumental in helping him understand his addiction and providing him with the necessary tools to prevent relapse.

Mr. Dabrieo had many supporters at his hearing, and multiple letters of support were submitted on his behalf. The Board considered oral testimony from his son, daughter-in-law, and sisters, all of whom expressed strong support for parole. Essex County District Attorney Blodgett submitted a letter in opposition to parole. Essex County Assistant District Attorney Catherine Semel spoke in opposition to Mr. Dabrieo's petition for parole.

III. DECISION

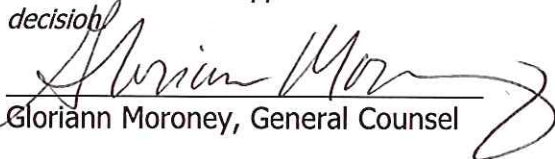
The Board is of the opinion that Mr. Dabrieo has fully invested in his rehabilitation and, consequently, has acquired the tools and skills that will assist him in a successful transition from incarceration. The Board has taken into consideration Mr. Dabrieo's institutional behavior, as well as his participation 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. Dabrieo's risk of recidivism. The Board notes that incarceration has served its purpose. Mr. Dabrieo actively addressed his

substance use issues, remained disciplinary report free, and has maintained employment. In addition, he has strong family support.

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. After applying this appropriately high standard to the circumstances of Mr. Dabrieo's case, the Board is of the unanimous opinion that Mr. Dabrieo merits parole at this time, subject to special conditions, to an approved home plan.

SPECIAL CONDITIONS: Approve home plan before release; Waive work at Parole Officer's discretion; Must be at home between 10 pm and 6 am at Parole Officer's discretion; Electronic monitoring/GPS at Parole Officer's discretion; Must take prescribed medication; 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; Must have substance abuse evaluation and adhere to plan; Must have mental health evaluation and adhere to plan; Mandatory – Release of medical records at the discretion of the Board.

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

2/2/17
Date