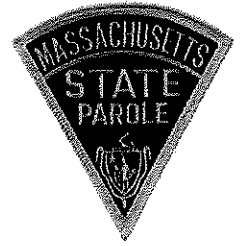


The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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**DECISION**  
**IN THE MATTER OF**  
**CARL RUTH**

**W87777**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** July 28, 2020

**DATE OF DECISION:** April 27, 2021

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

**DECISION OF 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 not a suitable candidate for parole. Parole is denied with a review in four years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On June 6, 2006, Carl Ruth, age 39, pleaded guilty to second-degree murder in the death of his wife Janice Giovanelli Ruth in the Worcester Superior Court. He was sentenced to life in prison with the possibility of parole. Mr. Ruth committed this crime while on parole for another matter.

On April 28, 2005, Carl Ruth and his wife Janice Giovanelli Ruth had a heated argument over his heavy crack cocaine use. After his wife went to bed, Mr. Ruth tried to kill her by pummeling her skull with a hammer. When he was unsuccessful in killing her with the hammer, Mr. Ruth grabbed a large knife and stabbed his wife in the neck. He covered Mrs. Ruth's head with a pillow and searched the home for money. He collected what money he could find and purchased more drugs that night. Mr. Ruth eventually confessed to a friend that he had murdered his wife. On May 5, 2005, police discovered Mrs. Ruth's body on a blood-soaked mattress with a butcher knife close by. Mr. Ruth was subsequently arrested and confessed to the murder. Mrs.

Ruth's autopsy report revealed that she had approximately eight hammer wounds to her skull and two knife wounds to the back of her head. The autopsy report did not find any defensive wounds on her hands, indicating that Mrs. Ruth was asleep and defenseless when Mr. Ruth attacked her.

In 1991, Mr. Ruth was sentenced to a 10 to 20-year term out of Bristol Superior Court for assault with the intent to kill a person over the age of 65. In that case, Mr. Ruth used an iron pipe to rob and beat an elderly store owner for the purpose of obtaining money for drugs. He was paroled in October 1997, but his parole was revoked in June 1998. Mr. Ruth completed his sentence in 2001. In April 2004, Mr. Ruth was committed to the Worcester County House of Corrections for several crimes, including breaking and entering and larceny. In November 2004, he was released on parole. Five months later, Mr. Ruth murdered his wife.

## **II. PAROLE HEARING ON JULY 28, 2020**

On July 28, 2020, Carl Ruth, now 55-years-old, appeared before the Parole Board for an initial parole hearing. He was represented by Attorney John Swomley. In his opening statement, Mr. Ruth expressed his remorse and his shame for having "brutally and viciously murdered" his wife. He apologized for the pain and suffering that he imposed on Mrs. Ruth and her family, as well as the community at large. Mr. Ruth indicated that he accepted full responsibility for his actions. Mr. Ruth stated that he led a normal early childhood. At age 14 or 15, however, he was sexually abused by his employer, at which time he began to self-medicate with drugs. As Mr. Ruth looked for ways to make money to buy drugs, a peer introduced him to an older man who paid Mr. Ruth for sexual favors. Mr. Ruth explained that he was frequently placed in short-term foster care, and that his drug use escalated.

The Board noted that Mr. Ruth's criminal history was inextricably tied to his substance abuse. Mr. Ruth admitted that he became a sex worker at around age 18, stating, "I had sex for money with men ... the more I did, the more money I made, and the more drugs I used." When Board Members expressed concern as to how his criminality escalated with his drug use, Mr. Ruth explained that when he was on a prior parole, he achieved some stability; he had a wife, he was sober, and he remained employed. However, Mr. Ruth admitted to relapsing after he saw a syringe, while visiting his wife in the hospital. His family staged an intervention, but he tried to end his life by stabbing himself. Mr. Ruth was hospitalized and, upon release, sought outpatient treatment. However, he relapsed when his former dealer called him. Mr. Ruth stated that Mrs. Ruth was not a drug user, and that they occasionally argued about his drug use.

In discussing the governing offense, Mr. Ruth admitted that in the days before the murder, he had been on a "three-day binge" with crack cocaine. The Board noted that he was on parole at that time for another matter. Mr. Ruth stated that, on April 28, 2005, he returned home with a few grams of crack cocaine and admitted to Mrs. Ruth that he had a "real problem." An argument ensued when he admitted to spending his paycheck on crack cocaine and that there was no longer any money for rent. After Mrs. Ruth went to sleep in the bedroom, Mr. Ruth smoked the last of his crack cocaine in the living room. He was unable to sleep because he was consumed with thoughts of how he could obtain money to buy more drugs. After 45 minutes, "something" in him "snapped." Mr. Ruth described how he went to the kitchen, grabbed a hammer and knife, and then murdered his sleeping wife. He hit her head several times with the hammer and, upon realizing that she was still alive, decided to end her suffering by stabbing her

throat with the knife. Mr. Ruth admitted that Mrs. Ruth was incapacitated after the first blow, and that she never had an opportunity to defend herself. After stealing Mrs. Ruth's money and personal belongings, he left the house and bought more crack cocaine. He spent the next three days selling the belongings, so that he could buy crack cocaine. Although he was too afraid to turn himself in, Mr. Ruth stated that he confessed to an acquaintance, knowing that this person would report the murder.

Board Members expressed concern over the level of thought, as well as the extreme level of violence, exhibited in the murder. Board Members noted that the circumstances reflected a deeper anger and violence than what would have been necessary to steal money and personal belongings. As to these issues, Mr. Ruth was unable to provide a meaningful explanation, stating that it might sound "callous," but he "did what [he] thought [he] had to do to get the money" for drugs. He explained that, despite his clear memory of the murder, he was under the influence of crack cocaine. When Board Members questioned him as to how they could be assured that he would never inflict this violence again, should he relapse on parole, Mr. Ruth simply stated that he "can't relapse." If he went back to using drugs, especially crack cocaine, "he [would] turn into the person who murdered [his] wife." He also stated, "Who is to say there [would] not be another Janice?" He stated that he did not "want to be a murderer again." The Board expressed concern that Mr. Ruth did not fully appreciate the challenges of sobriety.

The Board discussed Mr. Ruth's institutional adjustment and remained concerned over his unwillingness to explore his childhood sexual victimization in counseling or in institutional programming. A Board Member noted that, based on Mr. Ruth's own admissions, the trauma he suffered as a youth led to his substance abuse, which fueled the murder of his wife. Mr. Ruth, however, repeatedly denied any connection between his childhood sexual abuse and the murder of his wife. Upon questioning, Mr. Ruth indicated that he would like to continue working with violence reduction programming and, although he has been sober since May 2, 2005, he would attend additional substance abuse programming. The Board noted Mr. Ruth's history of disciplinary reports, which include a report where he failed to provide a urine sample. Mr. Ruth claimed that he was unable to urinate while someone watched him. Board Members also noted several reports related to the possession of contraband and/or stolen property.

The Board considered written testimony in opposition to parole from the Worcester County District Attorney's Office.

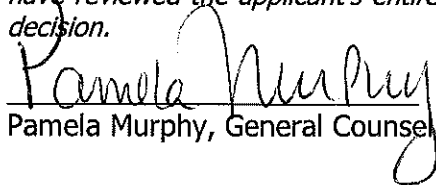
### **III. DECISION**

The Board is of the opinion that Carl Ruth has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Ruth murdered his wife, Janice Giovanelli Ruth, on April 28, 2005. He repeatedly struck her in the head with a hammer and stabbed her in the neck. Mr. Ruth had been on parole supervision for approximately five months when he committed the governing offense. During the hearing, Mr. Ruth informed the Board [that] "who's to say" there would not be another Janice, if he relapses. In addition, he has yet to fully address his causative factors to include his own abuse/trauma and addiction. [He has a] concerning criminal history [and is a] multi-state offender. Release at this time does not meet the legal standard. Mr. Ruth recognized during the hearing [that] he has more work to do.

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 forming this opinion, the Board has taken into consideration Mr. Ruth'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. Ruth's risk of recidivism. After applying this standard to the circumstances of Mr. Ruth's case, the Board is of the opinion that Carl Ruth is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Ruth's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages him to continue working towards his full rehabilitation.

*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.*

  
Pamela Murphy, General Counsel

4/27/2021  
Date