

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

JOSENER DORISCA
W102295

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: March 12, 2026

DATE OF DECISION: July 23, 2026

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Sarah B. Coughlin, Angelo Gomez Jr., James Kelcourse, Rafael Ortiz

VOTE: Parole is denied with a review in 1 year from the date of the hearing.¹

PROCEDURAL HISTORY: On March 20, 2013, after a jury trial in Plymouth Superior Court, Josener Dorisca was convicted of second-degree murder in the death of Bensney Toussaint. He was sentenced to life in prison with the possibility of parole.

On March 12, 2026, Mr. Dorisca appeared before the Board for an initial hearing. He was not represented by an attorney. The Board's decision fully incorporates by reference the entire video recording of Mr. Dorisca's March 12, 2026, hearing.

STATEMENT OF THE CASE: On June 8, 2008, 26-year-old Bensney Toussaint and 25-year-old Josener Dorisca attended a graduation cookout in Brockton. Witnesses at the cookout observed Mr. Toussaint confronting Mr. Dorisca, leading to a physical altercation. Shortly thereafter, Mr. Toussaint was found dead from multiple gunshot wounds on a grassy area near the party. Mr. Dorisca and Mr. Toussaint were observed fighting on the ground, and witnesses heard gunshots and saw sparks from the gun during the struggle. Several shots were fired by Mr. Dorisca as the two men struggled on the ground, and additional shots were fired by Mr. Dorisca as he stood over Mr. Toussaint.

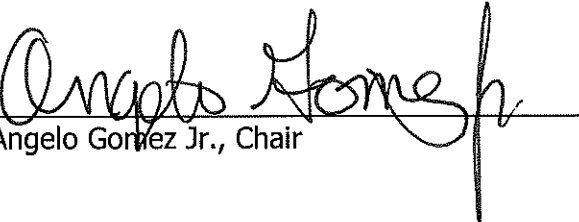
¹ Three Board Members voted to grant parole to ICE Detainer, and three Board Members voted to deny parole, resulting in a split decision.

First responders to the scene found Mr. Toussaint bleeding from multiple gunshot wounds, including one on the back of his head and four chest wounds. Emergency medical personnel performed CPR at the scene and then transported the victim by ambulance to Brockton Hospital, where he was pronounced dead.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board.

DECISION OF THE BOARD: Mr. Dorisca appeared for his initial hearing before the Board. Mr. Dorisca was 25-years-old at the time of offense. He is now 43-years-old. Mr. Dorisca has maintained his innocence in the murder. He has been disciplinary report free since 2022. He has been employed in the gym since 2021. He is in the process of earning his Hi-Set. Mr. Dorisca has completed Violence Reduction and Alternatives to Violence. The Board also has concerns regarding the impact of the crime on the victim's family and community. Some Members of the Board had concerns regarding Mr. Dorisca's credibility. The Board considered the testimony of three of Mr. Dorisca's family members in support of parole. The Board also considered testimony in opposition to parole from four of Mr. Toussaint's family members, as well as Plymouth County Assistant District Attorney Elizabeth Mello Marvel.

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.


Angelo Gomez Jr., Chair

July 23, 2026
Date