

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



PAROLE BOARD

*12 Mercer Road
Natick, Massachusetts 01760*

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

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Terrence Reidy
Secretary

Gloriann Moroney
Chair

Kevin Keefe
Executive Director

RECORD OF DECISION

IN THE MATTER OF

**EDGAR DONES
W85716**

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: May 11, 2021

DATE OF DECISION: January 5, 2022

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

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 not a suitable candidate for parole.¹ Parole is denied with a review scheduled in three years from the date of this hearing.

I. STATEMENT OF THE CASE

On June 15, 2005, in Hampden Superior Court, Edgar Dones pleaded guilty to the second-degree murder of his father, Emilio Dones, and was sentenced to life in prison with the possibility of parole.

Edgar Dones resided at his father's (Emilio Dones) apartment on two occasions prior to the murder. Although the pair had been estranged in the past, they had recently reconnected. In April 2003, 21-year-old Edgar Dones struggled financially and, again, received permission to reside temporarily with his father in Springfield. On the evening of April 23, 2003, Edgar Dones requested that his father provide him with a ride to work for his shift that began at 2:00 a.m. on April 24. Emilio Dones refused, and an argument ensued. Edgar Dones did not report to work and went to sleep. The following morning, April 24, 2003, the argument resumed and continued to escalate. Edgar Dones retrieved a knife from the kitchen, approached Emilio

¹ One Board Member voted to deny parole with a review in two years.

Dones from behind, and stabbed him in the back. After he fell to the floor, Edgar Dones continued to stab Emilio Dones, wounding him twice in the chest. He then fled the apartment and walked to his mother's residence in Chicopee.

A short time later, responding officers located Emilio Dones, who was suffering from multiple stab wounds inside his apartment. He was transported to a nearby medical facility, where he succumbed to his injuries. On the same day, April 24, 2003, officers located Edgar Dones at his mother's residence and noted that his shirt was stained with blood. He was subsequently detained and then admitted to killing his father after an argument.

II. PAROLE HEARING ON MAY 11, 2021

Edgar Dones, now 39-years-old, appeared before the Parole Board on May 11, 2021, for an initial parole hearing.² He was represented by Attorney Deidre Thurber. In his opening statement to the Board, Mr. Dones accepted responsibility for the crime and acknowledged the emotional impact of his actions on his family. He stated that he has yet to forgive himself for the murder. However, he believes that he has made positive changes during his incarceration. During the hearing, Mr. Dones discussed his childhood, as well as several traumatic accidents he suffered as a youth. He reported that he and his twin brother were both diagnosed with lead poisoning as young children, and that he was enrolled in special education classes during his younger years. His father abused his mother frequently and then abandoned the family when he was 5 or 6-years-old. Mr. Dones had no contact with his father between the ages of 6 and 12. Mr. Dones also described his involvement in several serious car accidents as a youth. As a teen, he drank alcohol and frequently used a variety of drugs. He was twice placed in foster care and, during his second foster care placement, Mr. Dones met a woman with whom he had a child. He reported experiencing suicidal thoughts after their relationship ended.

When the Board questioned him as to the governing offense, Mr. Dones stated that his father, Emilio Dones, had returned to Massachusetts after a prolonged absence. Prior to April 2003, Mr. Dones reported that his father had twice allowed him to stay at his Springfield apartment for an extended period when he needed support. During the first stay, they argued frequently over his father's refusals to drive him to work. While he characterized the second stay as more amicable, Mr. Dones reported that the men began to argue again during his third stay. At that time, in April 2003, Mr. Dones worked a third-shift job as a forklift operator. He requested that his father drive him to work for his 2:00 a.m. shift on April 24, 2003. Emilio Dones refused, and the men argued. Mr. Dones explained that he would lose his job if he did not report to work, rendering him unable to pay child support. Ultimately, Mr. Dones did not report to work and went to sleep.

On the morning of April 24, 2003, Mr. Dones said that he and his father began to argue again. When his father began rummaging through a drawer, Mr. Dones thought that he might be retrieving a weapon. As such, Mr. Dones obtained a knife from the kitchen and stabbed his father in the back. He further admitted that he stabbed his father at least two more times in the chest. Mr. Dones reported feeling a great deal of anger at the time of the stabbing, stating that he felt "betrayed" by his father. Mr. Dones left the apartment and walked several hours to his mother's residence. He described feeling numb. In response to a Board Member's question, Mr. Dones explained that he could not simply walk away from the argument. He was angry and he felt betrayed, since missing a shift would lead to his job loss and missed child support.

Mr. Dones has experienced a poor institutional adjustment, accumulating numerous disciplinary reports throughout his incarceration. Many of his disciplinary reports involved assaultive conduct on corrections officers, as well as other inmates. His last sanctioned report

² Mr. Dones postponed his 2018 hearing.

was in February 2020. When the Board inquired as to his association with a security threat group, Mr. Dones stated that his involvement began in 2006, so that he could associate with people who "looked out" for one another "like brothers." He claimed that he fully renounced his membership as of 2019. The Board noted, however, that Department of Correction records do not support such a claim.

Upon Board Member inquiry, Mr. Dones admitted that he used K2 as recently as 2019, but states that he has maintained his sobriety since then. When questioned, Mr. Dones said that he suffered from mental health issues since childhood and continues to receive treatment. Although he claims compliance with his medication regimen, Mr. Dones acknowledged that he was hospitalized for failure to take his medication as directed on several occasions during his incarceration. On one occasion, Mr. Dones admitted that he stopped taking his medication because the (medication) lines at the institution were too long, explaining that he did not want to wait. Mr. Dones also acknowledged two instances of self-harm, stating that those incidents occurred during times of stress.

The Board noted that Mr. Dones has participated in several programs, including Criminal Thinking, Violence Reduction, the Motivational Enhancement Program, and Pathway to Recovery. Mr. Dones said that he resides in a Residential Treatment Unit and regularly engages in group programming. He also stated that he maintains employment on a grounds and landscaping crew and plans to continue the pursuit of his GED.

The Board considered testimony in support of parole from several family members of Edgar Dones. The Board also considered testimony and a written evaluation by Dr. Frank DiCataldo, Ph.D.

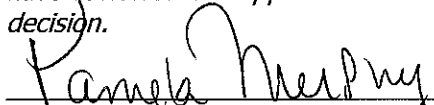
III. DECISION

The Board is of the opinion that Edgar Dones has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Dones presented for his initial hearing. He was convicted of stabbing his father, Emilio Dones, to death. Mr. Dones has struggled with mental health issues throughout his incarceration. He has also had periods of noncompliance with treatment as recently as 2019, when he discontinued his medications, decompensated, and cut his wrists. The Board notes that Mr. Dones has cognitive issues and reviewed the expert evaluation from Dr. DiCataldo. Due to his history of emotional instability and anger control problems and assaultive conduct, it is recommended that he engage in extensive rehabilitative programming to include anger management, stress management, and other skill building programs. He is encouraged to focus on his impulse control, coping skills, and managing stress. Mr. Dones has only recently stabilized in regard to his mental health and his compliance with medications. He also self-admitted that he has only been sober since 2019. The Board considered a letter dated September 21, 2021, from the Department of Mental Health concerning the range of services that may be available to Mr. Dones.

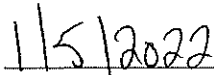
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the 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. Dones' 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. Dones' risk of recidivism. After applying this standard to the circumstances of Mr. Dones' case, the Board is of the opinion that Edgar Dones is not rehabilitated and, therefore, does not merit parole at this time.

Mr. Dones' next appearance before the Board will take place in three years from the date of this hearing. During the interim, the Board encourages Mr. Dones to continue working toward 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



Date