



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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Tina M. Hurley
Chair

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AMENDED RECORD OF DECISION

IN THE MATTER OF

EDWARD MARTIN

W51890

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **March 23, 2023**

DATE OF DECISION: **June 12, 2023**

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On January 30, 1992, after a jury trial in Berkshire Superior Court, Edward Martin was convicted of aggravated rape and burglary and assault of an occupant in a dwelling. He received two concurrent life sentences with the possibility of parole. On that same date, Mr. Martin was convicted of rape and received an 18 to 20-year concurrent sentence.

Mr. Martin appeared before the Parole Board for a review hearing on March 23, 2023. He was represented by student attorneys from Boston College Law School. Mr. Martin was denied parole after his initial hearing in 2006 and after his review hearings in 2011 and 2019. He postponed his 2016 review hearing. The entire video recording of Mr. Martin's March 23, 2023, 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 by unanimous vote that the inmate is not a suitable candidate for parole.

The Board is of the opinion that Edward Martin has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Martin committed the aggravated rape of the 28-year-old female victim on May 17, 1991. He was convicted of a second rape indictment as well as armed burglary. During this incarceration, Mr. Martin has incurred over twenty disciplinary infractions with three returns to higher custody. Prior

to this incarceration, Mr. Martin had five parole failures. Mr. Martin graduated from SOTP in May 2018 and is currently in Maintenance. He participates in other rehabilitative programming and he is on the waitlist for Able Minds and the Restorative Justice reading group. Mr. Martin has had a sporadic employment history while incarcerated. The Board needs to see continued positive institutional adjustment as well as commitment to rehabilitative programs to address anger, victim empathy, and violence. He should continue to attend counseling while incarcerated.

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. Martin'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. Martin's risk of recidivism. After applying this standard to the circumstances of Mr. Martin's case, the Board is of the unanimous opinion that Edward Martin is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Martin's next appearance before the Board will take place in three 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.



Tina M. Hurley, Chair

6/12/23
Date