

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

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RECORD OF DECISION

IN THE MATTER OF

EZEQUIEL ARROYO
W69977

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: September 16, 2025

DATE OF DECISION: March 3, 2026

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Sarah B. Coughlin, Angelo Gomez Jr., James Kelcourse, Rafael Ortiz¹

VOTE: Parole is granted to a Long Term Residential Program after six months in lower security.

PROCEDURAL HISTORY: On January 28, 2002, following a jury trial in Suffolk Superior Court, Ezequiel Arroyo was convicted of murder in the first-degree for the death of Luis Rivera. He was sentenced to life in prison without the possibility of parole. On that same date, he was sentenced to 8-to-10-years for assault and battery with a dangerous weapon and 3-to-5-years for possession of a firearm. All sentences were ordered to run concurrently. His life sentence is the only sentence that is still active; all other sentences have since expired.²

Mr. Arroyo became parole eligible following the Supreme Judicial Court's decision in Commonwealth v. Mattis, 493 Mass. 216 (2024), where the court held that sentencing individuals who were ages 18 through 20 at the time of the offense (emerging adults) to life without the possibility of parole is unconstitutional. As a result of the SJC's decision regarding Mr. Arroyo's first-degree murder conviction, he was re-sentenced to life with the possibility of parole after 15 years.

¹ Board Member Bonner was not present for the hearing, but reviewed the video recording and the entirety of the file prior to vote. Board Member Coleman was present for the hearing, but departed the Board prior to vote.

² On September 28, 2001, Mr. Arroyo pleaded guilty and was sentenced to 8-to-10-years for involuntary manslaughter which expired on June 13, 2008.

On September 16, 2025, Mr. Arroyo appeared before the Board for an initial hearing. He was represented by Attorney Kate Welch. The Board's decision fully incorporates by reference the entire video recording of Mr. Arroyo's September 16, 2025, hearing.

STATEMENT OF THE CASE: On May 19, 1998, 18-year-old Ezequiel Arroyo shot and killed 24-year-old Luis Rivera in Boston. Days before the murder, Mr. Rivera had taken property belonging to Mr. Arroyo from an apartment where Mr. Arroyo and his girlfriend had been staying. Mr. Arroyo and his girlfriend were angry at Mr. Rivera for taking the property and sought revenge. On the morning of the murder, Mr. Arroyo armed himself with a loaded 9 mm semi-automatic handgun. He and his girlfriend purchased two one-way tickets to Puerto Rico under an alias. The flight was scheduled to depart out of Newark, New Jersey a few days later. Mr. Arroyo then went to Uphams Corner in Roxbury, where he found Mr. Rivera standing in front of a church and day care center. Mr. Arroyo opened fire in front of dozens of people, including many children. One woman was struck in the leg by a stray bullet fragment. Mr. Rivera was shot several times, including once in the head. Mr. Rivera was rushed to Boston Medical Center, where he was pronounced dead.

Mr. Arroyo fled the scene. He and his girlfriend left the Boston area and went into hiding. Boston police homicide investigators went to Newark on the date that Mr. Arroyo and his girlfriend were scheduled to depart to Puerto Rico. Neither showed up, and the tickets remained unused. Mr. Arroyo's girlfriend later surrendered herself to Boston police officers. Mr. Arroyo was arrested in Fitchburg on a warrant about a week later.

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.

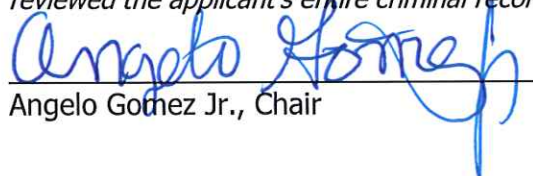
Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). Individuals who were emerging adults at the time of the offense must be afforded a "meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation" and the Board evaluates "the circumstances surrounding the commission of the crime, including the age of the offender, together with all relevant information pertaining to the offender's character and actions during the intervening years since conviction." Id. (citing Diatchenko v. District Attorney for the Suffolk Dist., 466 Mass. 655, 674 (2013) (Diatchenko I); Miller v. Alabama, 567 U.S. 460, 471 (2012); Graham v. Florida, 560 U.S. 48, 75 (2010)). Since brain development in emerging adulthood is ongoing, the Board also considers the following factors when evaluating parole candidates who committed the underlying offenses as an emerging adult: 1) a lack of impulse control in emotionally arousing situations; 2) an

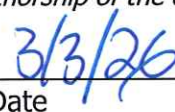
increased likelihood to engage in risk taking behaviors in pursuit of reward; 3) increased susceptibility to peer influence which makes emerging adults more likely to engage in risky behavior; and 4) an emerging adult's greater capacity for change. See Mattis, 493 Mass. at 225-229.

DECISION OF THE BOARD: Mr. Arroyo became parole eligible as a result of the Supreme Judicial Court's Mattis decision. Mr. Arroyo has completed over 40 programs. He has participated in the Welding and Culinary Arts programs. He earned his GED in 2008. He has maintained employment. He is low risk on multiple risk assessment tools, including an evaluation conducted by Dr. DiCataldo. Mr. Arroyo presented with insight and empathy, which he attributed to programming, including Restorative Justice. The Board considered the testimony of Mr. Arroyo's family members, as well as a social worker, in support of parole. The Board also considered testimony from Mr. Rivera's family, as well as Suffolk County ADA Montez Haywood, in opposition to parole. The Board concludes by unanimous decision that Ezequiel Arroyo has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Waive work for 2 weeks; Must be home between 10 PM and 6 AM for 6 months; Electronic monitoring for 6 months; 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; No contact with victim(s)' family; Must have mental health counseling for adjustment and trauma; Long Term Residential Program.

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


Date