

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760



Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Terrence M. Reidy
Secretary

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

Tina M. Hurley
Chair

Daniel Nakamoto
Acting Executive Director

RECORD OF DECISION

IN THE MATTER OF

GEORGE ARROYO
W89863

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **May 18, 2023**

DATE OF DECISION: **August 9, 2023**

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse

STATEMENT OF THE CASE: On June 21, 2004, 19-year-old George Arroyo shot and killed 17-year-old Jorge Martinez. On May 9, 2004, in Essex Superior Court, Mr. Arroyo was found guilty of murder in the second degree and sentenced to life imprisonment with the possibility of parole.

Mr. Arroyo appeared before the Board for a review hearing on May 18, 2023. He was represented by Boston College Law School student attorneys under the supervision of Attorney Frank Herrmann. The entire video recording of Mr. Arroyo's May 18, 2023 hearing is fully incorporated by reference into 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 that the inmate is not a suitable candidate for parole.

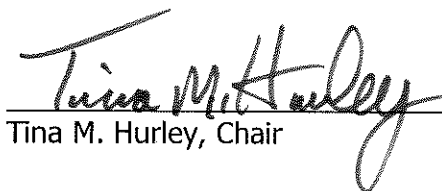
The Board is of the opinion that Mr. Arroyo has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Parole denied, 2-year review. This was Mr. Arroyo's second appearance before the Board. Since the last hearing, he has

incurred 11 D-reports. [The] Board reviewed the context of these D-reports and are of the opinion that he has more work to do in addressing his conflict resolution skills and impulsivity. Mr. Arroyo disclosed he developed an addiction to suboxone during his incarceration and is now engaged in medically-assisted treatment to assist with relapse prevention. While he has completed many meaningful programs, he has yet to demonstrate consistent conduct that is suggestive of his ability to succeed in the community. Mr. Arroyo has been terminated from employment and programs due to his conduct.

Mr. Arroyo needs to demonstrate a consistent period of positive adjustment prior to consideration of parole. It is also recommended that he engage in restorative justice programming to enhance his insight into the impact his offense has had on the family and community. [The] Board considered the testimony from his mother and a family friend in support of parole. The Board also considered the written testimony from the victim's mother, and opposition testimony from ADA Elin Graydon from Essex County [District Attorney's] office.

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

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

08/09/2023

Date