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Tina M. Hurley
Chair

RECORD OF DECISION

IN THE MATTER OF

GEORGE HAGGERTY

W39898

TYPE OF HEARING: Review Hearing

DATE OF HEARING: August 25, 2022

DATE OF DECISION: January 18, 2023

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

STATEMENT OF THE CASE: On August 24, 1983, after a jury trial in Hampden Superior Court, Mr. Haggerty was convicted of unarmed robbery, burglary, and assault on occupant and was sentenced to life in prison with the possibility of parole.¹

Mr. Haggerty appeared before the Parole Board for an initial hearing on August 25, 2022. He was not represented by counsel. Mr. Haggerty was denied parole after his 1997 initial hearing and after his review hearings in 2002, 2007, and 2012. He postponed his 2017 review hearing. The entire video recording of Mr. Haggerty's August 25, 2022, 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 George Haggerty has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Haggerty committed the robbery and assault of 82-year-old Esther Owens, who died following the incident. He has a troubling criminal history with a pattern of violating the conditions of parole.

¹ Mr. Haggerty was also convicted of first-degree murder in the death of Esther Owens, but this conviction was vacated on appeal. *Commonwealth v. Haggerty*, 400 Mass. 437 (1987).

He has incurred approximately forty-five sanctioned disciplinary reports, three SMU placements, one return to higher custody, and one placement in the disciplinary segregation unit. He has completed some rehabilitative programming, obtained his GED, and maintained employment. Of major concern to the Board is Mr. Haggerty's status in the SOTP where treatment providers do not recommend him for graduation, despite entering SOTP in 2016. Providers report that he does not have an understanding of his risk factors and treatment concepts. He reportedly does not believe SOTP applies to him and has put in minimal effort. The Board feels strongly that Mr. Haggerty should reflect on the import of SOTP and reengage in the program when he is able.

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

Mr. Haggerty'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.



Pamela Murphy, General Counsel

1/18/23
Date