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**Tina M. Hurley**  
*Chair*

**Daniel Nakamoto**  
*Acting Executive Director*

**RECORD OF DECISION**

**IN THE MATTER OF**

**ISRAEL DE JESUS MARTINEZ**  
**W37433**

**TYPE OF HEARING:**            **Review Hearing**

**DATE OF HEARING:**        **August 17, 2023**

**DATE OF DECISION:**       **November 30, 2023**

**PARTICIPATING BOARD MEMBERS:** Tina M. Hurley, Dr. Charlene Bonner,<sup>1</sup> Tonomey Coleman, James Kelcourse

**STATEMENT OF THE CASE:** On December 26, 1979, following a trial in Essex Superior Court, Israel Martinez was convicted of second-degree murder, robbery, and burglary. He was sentenced to life in prison with the possibility of parole for the murder conviction. The convictions for burglary and robbery were placed on file.

On November 17, 1978, Mr. Martinez and two co-conspirators entered the Lawrence home of 74-year-old Ernest Tellier and found him asleep in a chair. The three men bound and gagged Mr. Tellier and stole items from the residence. As Mr. Martinez and his co-conspirators fled the home, they cut the home's telephone cords. The following day, Mr. Tellier's sister returned home to find her brother's body on the floor of the ransacked apartment. It was later determined that Mr. Tellier had died from a heart attack brought on by stress. One of Mr. Martinez's co-conspirators implicated Mr. Martinez in the robbery and murder of Ernest Tellier. When Mr. Martinez was asked what he thought about the co-conspirator's statement, he admitted to tying up Mr. Tellier and taking belongings from his home.

On the day of his sentencing (December 26, 1979), Mr. Martinez and a co-conspirator escaped from a transport vehicle after threatening two officers with sharpened metal instruments. The co-conspirator obtained a firearm from one of the officers, and the two men stole the vehicle

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<sup>1</sup> Dr. Bonner was not present for the hearing, but reviewed the record prior to the vote.

with the two officers still inside. They fled on foot and were captured a short time later. Mr. Martinez was convicted of escape, two counts of kidnapping, unlawful possession of a firearm, and assault and battery by means of a dangerous weapon. He was sentenced to 3-5 years, to be served from and after his life sentence.

On August 11, 2007, while on parole supervision, Mr. Martinez was arrested for the non-fatal stabbing of his girlfriend in Taunton. He was convicted of armed assault with intent to murder, mayhem, larceny of a motor vehicle, and assault and battery by means of a dangerous weapon. He was adjudicated as a habitual offender and sentenced to 20 years on the armed assault with intent to murder conviction, to be served from and after his life sentence. He received concurrent sentences on the remaining convictions. He was discharged from these sentences on May 24, 2023.

**PAROLE HEARING:** Israel Martinez appeared before the Board on August 17, 2023 for a review hearing. He was not represented by counsel. Between 1996 and 2007, Mr. Martinez was paroled from this commitment three times and, each time, his parole was revoked following violations. The entire video recording of Mr. Martinez's August 17, 2023 hearing is fully incorporated by reference into the Board's decision.

**DECISION OF THE BOARD:** 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.

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. Parole is denied with a review scheduled in two years from the date of the hearing.

In forming this opinion, the Board has taken into consideration Mr. Martinez'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. Martinez's risk of recidivism. After applying this standard to the circumstances of Mr. Martinez's case, the Board is of the opinion that Mr. Martinez is not yet rehabilitated and, therefore, does not merit parole at this time.

The Board is of the opinion that Mr. Martinez has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Martinez has had three parole failures for serious violations, including repeat drug abuse, association, whereabouts unknown, the issuance of a 209A and, in 2007, he pled guilty to charges of armed assault with intent to murder, mayhem, larceny of a motor vehicle, and assault and battery by means of a dangerous weapon. The victim in that case was his girlfriend. He was also adjudicated as a habitual offender and sentenced to 20 years for the armed assault with intent to murder conviction, which was to be served from and after his life sentence and concurrent

terms of 20 years, 15 years, and 10 years, respectively. He was discharged from this commitment and resumed serving his life sentence on May 24, 2023. The Board acknowledges that he has recently engaged in Restorative Justice, GPMP, GMP, and is waitlisted for educational programs and Path to Freedom. His last disciplinary report was in 2011. He stated his last use of substances was in 2007. The Board recommends that Mr. Martinez engage in programming or counseling that addresses healthy relationships, domestic abuse, and relapse prevention.

Mr. Martinez's next appearance before the Board will take place in two years from the date of this hearing. During the interim, the Board encourages Mr. Martinez 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.*

  
Tina M. Hurley, Chair

11/30/2023

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Date