

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

ISRAEL GONZALEZ CRUZ

W34806

TYPE OF HEARING: Review Hearing

DATE OF HEARING: August 11, 2020

DATE OF DECISION: February 3, 2021

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, Colette Santa

STATEMENT OF THE CASE: On December 19, 1974, Middlesex Superior Court, a jury found Israel Cruz guilty of the second-degree murder of Fernando Andrades. He was sentenced to life in prison with the possibility of parole. On that same day, Mr. Cruz also received a 5 to 7-year concurrent sentence for arson.

Mr. Cruz appeared before the Parole Board for a review hearing on August 11, 2020 and was represented by Attorney Garrett Marshall. Mr. Cruz was denied parole after his initial hearing in 1988. Mr. Cruz was released on parole in 1991, 1995, 2010, and 2015 but was returned to custody due to parole violations. After his hearing in 2017, Mr. Cruz was denied parole with a review in three years. The entire video recording of Mr. Cruz's August 11, 2020 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 a suitable candidate for parole. Reserve to Long Term Residential Program, but not before completion of 6 months in lower security. Mr. Cruz has been reincarcerated for 4 years. During this time, he has renewed his commitment to his sobriety. He appeared to have benefitted from participation in mental health programming and the Correctional Recovery Academy ("CRA"). In addition, he has maintained a positive adjustment. He has also been active in Alcoholics Anonymous ("AA"). Release is compatible with the

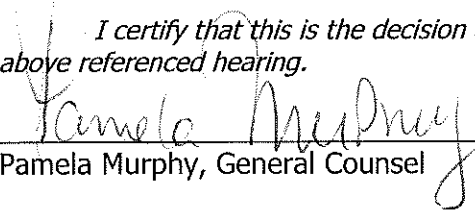
welfare of society. He is encouraged to pursue MAT (Vivitrol) upon release due to his expressed interest in the hearing.

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. Cruz'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. Cruz's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Cruz's case, the Board is of the opinion that Israel Cruz merits parole at this time. Parole is granted to a Long Term Residential Treatment Program, but not before 6 months in lower security.


SPECIAL CONDITIONS: Waive work for long term residential program; Must be at home between 10 p.m. and 6 a.m.; ELMO-electronic monitoring; 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 depression, anxiety, adjustment and transition; AA/NA at least 3 times/week; Must obtain sponsor; Must adhere to MAT protocol if he participates in the program.

IMPORTANT NOTICE: The above decision is an abbreviated administrative decision issued in an effort to render an expedited resolution in response to the COVID-19 pandemic. Mr. Cruz, through counsel, has waived his right to a full administrative decision.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.



Pamela Murphy, General Counsel



Date