



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

ISRAEL PEREZ

W80504

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **October 22, 2019**

DATE OF DECISION: **May 14, 2020**

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

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.¹ Parole is denied with a review scheduled in two years from the date of the hearing.²

I. STATEMENT OF THE CASE

On June 21, 2002, in Essex Superior Court, Israel Perez pleaded guilty to second-degree murder in the death of 30-year-old Juan Vasquez and was sentenced to life in prison with the possibility of parole. On that same date, he pleaded guilty to the related armed robbery and received a concurrent 10 to 12 year sentence.

In December 1997, Israel Perez (age 19) was living in Lawrence, having left Puerto Rico in 1992. On the evening of December 30th, Mr. Perez was with his friend, Ricardo Reyes. Both men needed money and planned to rob a taxi cab driver, using Mr. Reyes' pistol. Juan Vasquez, who was working as a taxi cab driver in the Methuen area that night, picked up Mr. Perez and Mr. Reyes. In the area of 7 Chelmsford Street in Methuen, Mr. Perez and Mr. Reyes robbed Mr.

¹ Four Board Members voted to deny parole. Three Board Members voted to grant parole.

² One Board Member voted to deny parole with a review scheduled in three years.

Vasquez. During the course of the robbery, Mr. Vasquez was shot once in the back of his head by Mr. Perez. His body was discovered, approximately two hours later, by local police responding to a call for a suspicious vehicle. Both Mr. Perez and Mr. Reyes had fled the scene to a bowling alley in Lawrence, where they sold the pistol. Mr. Perez and Mr. Reyes maintained their freedom for approximately two and one half years, despite a prolonged investigation.

II. PAROLE HEARING ON OCTOBER 22, 2019

Israel Perez, now 41-years-old, appeared before the Parole Board on October 22, 2019, for a review hearing. He was represented by student attorneys from Northeastern University School of Law. A Spanish interpreter assisted him throughout the hearing. Mr. Perez had been denied parole after his initial hearing in 2015. Mr. Perez told the Board that he and his family moved from New York to Puerto Rico, when he was 7-years-old, only to settle in Massachusetts seven years later. He experienced domestic physical abuse as a victim and as a witness, the trauma of which manifested itself in anger-motivated fighting. Mr. Perez also suffered a head injury in his adolescence, which contributed to pre-existing learning difficulties for which he was bullied by classmates. Mr. Perez joined a security threat group, at age 16, for a sense of family and support. He was employed occasionally as a factory worker, but mainly supported himself as a drug dealer. Mr. Perez denied using cocaine (that he sold), but told the Board that he smoked marijuana every day and drank alcohol.

At the time of the governing offense, Mr. Perez said that he was selling drugs both independently and for the security threat group. He and Mr. Reyes needed money to reimburse a supplier for lost proceeds from their independent drug sales. On the night of the murder, Mr. Perez said that he consumed "two 40 [ounce]" containers of alcohol and smoked marijuana. They decided to rob a taxi driver, as drivers were known to carry cash. Mr. Perez was armed with a gun, and Mr. Reyes was armed with a knife, in order to scare whomever they chose to rob. Mr. Perez explained that Mr. Vasquez was selected at random. During the commission of the robbery, Mr. Reyes cut the wire of Mr. Vasquez's radio to prevent him from calling the police. Mr. Reyes took Mr. Vasquez's wallet, and then Mr. Perez decided to shoot him. The Board questioned Mr. Perez as to why he shot Mr. Vasquez, if the robbery had already been completed. Mr. Perez explained that he "wasn't thinking right," partly because of his intoxicated state and partly because he was a "young, ignorant kid," who had never handled a gun before.

The Board told Mr. Perez that it struggled with the fact that, during the two and a half years between the murder and his arrest, Mr. Perez continued his criminal behavior. Mr. Perez agreed, stating that he was "wrong" for committing the murder and for not coming forward to admit his wrongdoing. He told the Board that he "always" thinks about Mr. Vasquez, and that he prays for him. He explained that the holidays are an especially difficult time for him because of what he did to Mr. Vasquez and his family.

The Board noted that Mr. Perez has engaged in programming during his incarceration, including Anger Management, Alternatives to Violence, Violence Reduction, and AA/NA. He has completed two of the three sections needed to obtain his Hi-Set. Mr. Perez said that Anger Management has served his rehabilitation particularly well, as anger had been the driving force behind most of his criminal behavior. The Board encouraged Mr. Perez to complete the Correctional Recovery Academy, for which he is on the waitlist, and to engage in the Restorative Justice program, if possible. When Board Members noted their concern regarding his accrual of

disciplinary reports for the sale of homebrew, Mr. Perez admitted that he had been selling homebrew for "five or six months" in order to make money. A disciplinary report, received in July 2019 for this behavior, caused Mr. Perez to lose his janitorial job, as well as many other privileges. Mr. Perez explained that he learned a difficult, but valuable, lesson because he "lost everything."

The Board encouraged Mr. Perez to engage in mental health counseling, as a professional evaluation would be of great help to the Board in the future. Mr. Perez told the Board that he has not engaged in counseling during his incarceration, explaining that he did not want to be medicated. He admitted, however, that he would benefit from talking to someone. If granted parole, Mr. Perez hopes to go to the Concord Farm, before being released to Casa Esperanza to aid in his transition back to the community. The Board noted Mr. Perez's strong family support.

Mr. Perez's son and brother testified in support of parole. Essex County Assistant District Attorney Emily Mello testified and submitted a letter in opposition to parole.

III. DECISION

The Board is of the opinion that Israel Perez has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Perez has been incarcerated for 19 years for the murder of Jose Vasquez. The Board would like to re-assess progress in rehabilitation, specifically in relation to relapse prevention. Mr. Perez would benefit from completion of the Correctional Recovery Academy.

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

Mr. Perez's next appearance before the Board will take place in two 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. 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.


Pamela Murphy, General Counsel

5/14/2020
Date