

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 28, 2021

DATE OF DECISION: November 10, 2022

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre,¹ Tina Hurley, 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 by unanimous vote that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in one year from the date of the hearing.

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 indictment 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 30, Mr. Perez was with his friend, Ricardo Reyes. Both men needed money and planned to rob a cab driver using Mr. Reyes' pistol. Juan Vasquez, who was working as a 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. Vasquez.

¹ Board Member Dupre participated in the hearing but was no longer a Board Member at the time of vote.

During 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 a half years, despite a prolonged investigation.

II. PAROLE HEARING ON OCTOBER 28, 2021²

Israel Perez, now 44-years-old, appeared before the Parole Board on October 28, 2021, for a review hearing. He was represented by student attorneys from Northeastern University School of Law under the supervision of Attorney Patricia Garin. Mr. Perez had been denied parole after his initial hearing in 2015, and after his review hearing in 2019. In his opening statement to the Board, Mr. Perez apologized to the victim's family, acknowledging the impact of his crime. Mr. Perez said that he robbed Mr. Vasquez in order to repay a debt. He further stated that he was 19-years-old, and drinking alcohol, at the time of the offense.

When Board Members inquired about his substance use history, Mr. Perez said that he received four disciplinary reports for homebrew possession since his last hearing. He explained to the Board that he used alcohol to self-medicate in coping with his feelings of depression. He has remained sober for the last six months and has come to understand that he is an alcoholic. He stated that he regularly attends Alcoholics Anonymous meetings and has re-enrolled in the Correctional Recovery Academy. Mr. Perez said that he maintains his sobriety by staying away from certain people, as well as staying away from homebrew.

Mr. Perez made numerous statements during this hearing that indicate he suffers from depression. He reported that he is not taking medication, nor has he seen a clinician recently. The Board acknowledged a mental health history that includes depression, attention deficit disorder, and a traumatic brain injury. Mr. Perez stated that he would seek additional mental health treatment, if paroled. Board Members acknowledged his preparation for High Set exams and his participation in Correctional Recovery Academy and Criminal Thinking. Mr. Perez stated that he has not participated in Restorative Justice programming, or any programming specifically directed at victim empathy.

The Board considered testimony in support of parole from family members of Mr. Perez. The Board considered testimony and a written letter in opposition to parole from Essex County Assistant District Attorney Emily Mello.

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 self-reported that he suffers from untreated severe depression, which he self-medicates with alcohol. It was revealed in the hearing that he has a history of borderline IQ, T[raumatic] B[rain] I[njury], ADHD, and mood disorder. Accordingly, the Board sought additional documentation detailing this history and requested an evaluation from DOC (Department of Correction) to determine his need areas. The information received from the mental health screen was inconsistent with the documented history. The Board was concerned about Mr. Perez's stability at the hearing given

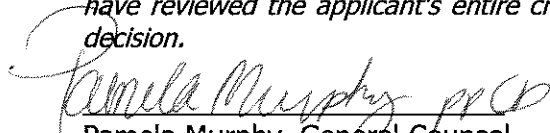
² The entire video recording of Mr. Perez's October 28, 2021 hearing is fully incorporated by reference into the Board's decision.

his recent realization that he lives with alcoholism. In light of a recent disciplinary report for homebrew, the Board is concerned he may still be self-medicating with alcohol. The Board has limited information about his current diagnoses and needs. The Board encourages Mr. Perez to obtain a current evaluation that addresses his substance abuse and mental health history.

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 unanimous 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 one year 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

11/10/22
Date