

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

IVAN HODGE

W89572

TYPE OF HEARING: Initial Hearing
DATE OF HEARING: February 4, 2020
DATE OF DECISION: August 17, 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 by unanimous vote that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in four years from the date of the hearing.

I. STATEMENT OF THE CASE

On March 14, 2007, after a jury trial in Suffolk Superior Court, Ivan Hodge was found guilty of the murder of Tacary Jones and sentenced to life in prison with the possibility of parole. On that same date, Mr. Hodge received a 4 to 5-year concurrent sentence for unlawful possession of a firearm.¹

On March 18, 2005, Ivan Hodge, along with his co-defendant, O’Neil Francis, boarded an MBTA bus in the Dorchester neighborhood of Boston. As the bus approached the Geneva Avenue bus stop, Mr. Hodge and Mr. Francis passed a camouflaged knife back and forth to one

¹ Mr. Hodge’s co-defendant, O’Neil Francis was found guilty of second-degree murder and possession of a firearm without a permit.

another. When the bus stopped at Geneva Avenue, several young men, including Tacary Jones, boarded. Mr. Hodge saw Mr. Jones and made some statements to him. Then, Mr. Hodge and Mr. Francis got up and began to exit the rear of the bus. As they exited, Mr. Francis pulled out a palm sized gun. An altercation ensued between the three men, and shots were fired. Mr. Hodge was seen tucking a semi-automatic gun into his waist band. Mr. Hodge and Mr. Francis then fled the scene and later were observed running away from where the murder weapon was recovered, which was found together with an army knife and clothing matching that worn by Mr. Hodge. Mr. Jones was transported to a nearby hospital, but succumbed to a single gunshot wound to the chest upon arrival. Mr. Hodge and Mr. Francis were caught and detained for questioning. Shortly thereafter, they were arrested for the murder of Mr. Jones.

II. PAROLE HEARING ON FEBRUARY 4, 2020

Ivan Hodge, now 32-years-old, appeared before the Parole Board for an initial hearing on February 4, 2020. He was not represented by counsel. In his opening statement, Mr. Hodge expressed his sorrow for the murder. He also apologized to Mr. Jones and his family, as well as the Commonwealth. Mr. Hodge acknowledged that his actions at the time of the governing offense were "reckless" and "unnecessary." He explained that he was dealing with his own grief, while adapting to a "toxic" and "unnatural" environment. Mr. Hodge recognized the harm that resulted from his actions and took responsibility for his crime.

When questioned as to the underlying events on the day of the murder, Mr. Hodge said that he boarded the bus alone and Mr. Francis joined him later. When the bus approached the Geneva stop, Mr. Jones boarded as Mr. Hodge and Mr. Francis decided to exit. Confrontational remarks were exchanged between the three men. Mr. Hodge continued to exit the bus and then, shortly thereafter, he heard gunshots. Noting that Mr. Hodge's version differed from witness testimony, Board Members questioned him as to the reasons why. Mr. Hodge denied any discussion with Mr. Francis (about Mr. Jones) prior to the altercation, stating that "it was just a quick thing." Additionally, Mr. Hodge denied being armed, despite an eyewitness who saw Mr. Hodge tuck a silver firearm in his waist band. Mr. Hodge however, stated that a firearm was not recovered from the scene. The Board noted that Mr. Hodge did not appear to be forthcoming. Further, Mr. Hodge attempted to minimize the altercation, along with his own culpability, when he discussed the discrepancies between his account and witness testimony.

When Mr. Hodge stated that he and Mr. Jones knew each other from high school, the Board noted their history of altercations. In 2003, Mr. Hodge was arrested for a fight that broke out, involving Mr. Jones, in the restroom of the Dorchester District Courthouse. The reason for the altercation was presumably due to gang affiliations. When asked about this incident, Mr. Hodge told the Board he was defending himself and denied that the altercation was gang related. Mr. Hodge also denied any connection between the 2003 fight and the murder, claiming that there was no contention between the two men. The Board also addressed Mr. Hodge's childhood, during which time he experienced multiple tragedies that included the murder of his brother. Mr. Hodge explained that his life spiraled at that point and his "mad at the world" attitude worsened. He admitted to spending time with gang affiliated individuals, but claimed to have not been involved himself. When asked if Mr. Jones was gang affiliated, Mr. Hodge stated that he was not sure. When Board Members asked whether the murder had anything to do with his brother's death, Mr. Hodge stated that it did not. He indicated that there was no animosity between him and Mr. Jones. Mr. Hodge claimed that the

murder was not a form of retaliation; rather, it was a "spur of the moment thing." The Board noted missing pieces to the story, likely due to Mr. Hodge's apparent evasiveness.

Mr. Hodge's institutional adjustment has been problematic and only recently (2016) has it begun to improve. Between 2007 and 2016, Mr. Hodge was sent to the Disciplinary Detention Unit 11 times for assaults on inmates and for fighting. He has approximately 14 enemies within the Department of Corrections which, consequently, has led to a significant amount of time being spent in maximum security. As such, Mr. Hodge has had only a limited number of rehabilitative programs at his disposal. When asked if he believed there to be a connection between his behavioral issues and his lack of rehabilitative programming, Mr. Hodge responded with the explanation that most of his disciplinary reports were instances of self-defense. While incarcerated, Mr. Hodge has earned his high school equivalency diploma, completed a semester of college level courses, and received his law clerk certificate. Additionally, Mr. Hodge is employed as a runner, receiving satisfactory evaluations from his supervisor.

The Board considered testimony from Mr. Hodge's brother in support of parole. The Board also considered testimony in opposition to parole from Suffolk County Assistant District Attorney Charles Bartoloni and a letter of opposition from Boston Police Commissioner William Gross.

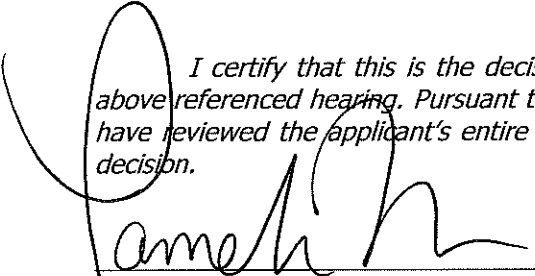
III. DECISION

Mr. Hodge has served approximately 15 years for the murder of Tacary Jones. Throughout the hearing, Mr. Hodge was evasive in discussing his criminal behavior in the community. He minimized his connection to the victim and the facts surrounding any gang affiliation/bad blood. In addition, the Board is concerned as to the seriousness of some of the disciplinary infractions he has incurred throughout his incarceration. He is encouraged to engage in all recommended treatment and programming to address his causative factors and maintain a positive adjustment. Release does not meet the legal standard as his release is incompatible with the welfare of society.

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

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



Pamela Murphy, General Counsel

8/17/2020
Date