



The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road  
Natick, Massachusetts 01760

Charles D. Baker  
Governor

Karyn Polito  
Lieutenant Governor

Thomas A. Turco III  
Secretary

Telephone # (508) 650-4500  
Facsimile # (508) 650-4599

Paul M. Treseler  
Chairman

Gloriann Moroney  
Executive Director

**DECISION**

**IN THE MATTER OF**

**JODY OLESON**

**W68169**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** June 5, 2018

**DATE OF DECISION:** March 19, 2019

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa, Lucy Soto-Abbe

**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 five years from the date of the hearing.<sup>1</sup>

**I. STATEMENT OF THE CASE**

On May 30, 2000, in Suffolk Superior Court, Jody Oleson was found guilty by a jury trial of the second-degree murder of Alfred Fisher. He was sentenced to serve life in prison with the possibility of parole.

At approximately 1:30 p.m., on July 27, 1998, 71-year-old Alfred Fisher was murdered by Jody Oleson in Mr. Fisher's South Boston apartment. Mr. Fisher had been alone in his apartment and on the phone with a friend, when Mr. Oleson (age 25) came to his door. Mr. Fisher knew Mr. Oleson through a mutual friend and, while still on the small cordless telephone, let him in. Mr. Oleson then began striking Mr. Fisher. Mr. Fisher's friend, who was still on the line, heard the attack (as well as Mr. Fisher's calls for help) and called police immediately. Mr. Oleson continued his attack, drawing blood from Mr. Fisher's head. Mr. Oleson then strangled

<sup>1</sup> Two Board Members voted to deny parole with a review in four years from the date of the hearing.

Mr. Fisher to death. In addition, Mr. Fisher received cuts or bruises to his nose, cheeks, chin, lip, neck, arms, and legs.

Boston police officers arrived to find Mr. Oleson attempting to exit the apartment with bloodied hands and lip. Mr. Fisher was lying unconscious on the blood-stained kitchen floor. Mr. Oleson stated to police that he had come to confront Mr. Fisher for stalking his girlfriend. He said that Mr. Fisher struck him first, and that he struck Mr. Fisher in self-defense. In a taped statement, Mr. Oleson admitted to punching Mr. Fisher once, as well as holding him in a chokehold around the midsection.

Mr. Oleson appealed his conviction on numerous occasions, but his convictions were affirmed.

## **II. PAROLE HEARING ON JUNE 5, 2018**

Jody Oleson, now 45-years-old, appeared before the Parole Board for his review hearing on June 5, 2018. He was not represented by counsel. He had been denied parole after his initial hearing in 2013. In his opening statement to the Board, Mr. Oleson provided an apology to the Board for his presentment at his initial hearing. He provided a lengthy testament as to how his addiction to alcohol and drugs played an integral part in his criminal thinking and the violent offenses he committed. Additionally, he outlined the steps he has taken to address his causative factors.

The Board discussed Mr. Oleson's institutional adjustment since his last hearing. Mr. Oleson is currently incarcerated at Souza Baranowski Correctional Center; he was transferred there in March 2017, after incurring several disciplinary infractions in medium security for violating the substance abuse policy. He is not currently employed or involved in treatment and programming. Since his last hearing, he completed programming to include (but not limited to): Alternatives to Violence, Jericho Circle, Emotional Awareness, Countdown to Freedom, and Correctional Recovery Academy. Through his participation in Emotional Awareness, Mr. Oleson gained insight as to his role in the death of Mr. Fisher. Mr. Oleson indicated his desire to further understand the correlation between his addiction and his criminal history.

In discussing the governing offense, Mr. Oleson did not dispute the facts of the case. Mr. Oleson had been released from the Massachusetts Department of Correction on January 24, 1998. He was on probation for armed robbery and assault and battery with a dangerous weapon at the time of the offense. After release from custody, he obtained employment and became involved in a negative relationship. His intention was to confront Mr. Fisher, as he felt that Mr. Fisher was causing his girlfriend emotional stress, which was negatively affecting their relationship and her pregnancy. After confronting Mr. Fisher in his apartment, an altercation ensued; he ultimately placed Mr. Fisher in a headlock and put his hand over Mr. Fisher's mouth. Mr. Fisher then bit his hand, and he responded by biting his face. Mr. Oleson released the hold he had over Mr. Fisher, not knowing the severity of the injuries that Mr. Fisher had sustained.

Several members of Mr. Oleson's family were present during the hearing. His father, aunt, and sister-in-law spoke in support of parole. A member of the Victim's Service Unit read a statement from the family of Alfred Fisher. The Suffolk County District Attorney's Office submitted a letter in opposition to parole.

### **III. DECISION**

The Board is of the opinion that Jody Oleson has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Oleson has served 20 years for the brutal murder of an elderly man. Mr. Oleson should continue to invest in his rehabilitation to address his causative factors and should refrain from incurring any disciplinary infractions. Re-enrolling in the Correctional Recovery Academy upon transfer to a medium security facility is recommended.

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 an 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. Oleson's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment, and whether risk reduction programs could effectively minimize Mr. Oleson's risk of recidivism. After applying this standard to the circumstances of Mr. Oleson's case, the Board is of the opinion that Jody Oleson is not yet rehabilitated and, therefore, does not merit parole at this time.

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

  
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Shara Benedetti, Acting General Counsel

3/19/19  
\_\_\_\_\_  
Date