

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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Executive Director

RECORD OF DECISION

IN THE MATTER OF

JOHN MARINO
W60252

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **July 23, 2020**

DATE OF DECISION: **January 5, 2021**

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy¹

STATEMENT OF THE CASE: On March 12, 1996, in Suffolk Superior Court, John Marino pleaded guilty to the second-degree murder of Anna Delgado and was sentenced to life in prison with the possibility of parole.

Mr. Marino appeared before the Parole Board for a review hearing on July 23, 2020 and was represented by Attorney Patricia Garin. Mr. Marino had been denied parole after his initial hearing in 2010 and subsequent review hearings in 2012, and 2015. Mr. Marino postponed his 2018 hearing. The entire video recording of Mr. Marino's July 23, 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 that the inmate is a suitable candidate for parole. ² Reserve to CRJ- Brooke House for a minimum of 6 months but not before completion of 6 months in lower security. Mr. Marino has served 25 years for the murder of Anna Delgado. Mr. Marino has completed numerous programs to address his causative factors and remains active in AA and Big Book. He has maintained his sobriety for over 25 years. In rendering their decision, the Board did take into consideration the forensic evaluation completed by Dr. Plaud in February of 2019. Dr. Plaud assessed psychosexual

¹ Board Member Colette Santa was not a voting member due to unavailability.

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

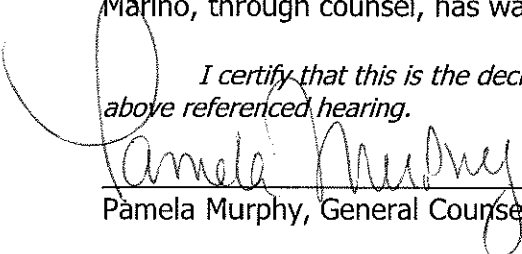
functions/risk and his mental status. Release after a gradual transition through lower security meets the legal standard.

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. Marino'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. Marino's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Marino's case, the Board is of the opinion that Mr. Marino is rehabilitated and merits parole at this time.

Special Conditions: Waive work for 2 weeks; 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 adjustment/transition; Long term residential program- CRJ Brooke House minimum 6 months; AA/NA at least 3 times/week; Must obtain sponsor.

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. Marino, 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

1/4/2021
Date