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Tina M. Hurley
Chair

RECORD OF DECISION

IN THE MATTER OF

JOHN TAMMARO

W40009

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 19, 2022

DATE OF DECISION: January 6, 2023

PARTICIPATING BOARD MEMBERS¹: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On October 12, 1983, in Norfolk Superior Court, John Tammaro pleaded guilty to second-degree murder in the death of 20-year-old Leslie Ann Haynes. He was sentenced to life in prison with the possibility of parole. On that same date, he pleaded guilty to one count of carrying a firearm without a license and received a concurrent sentence of three to five years.

Mr. Tammaro appeared before the Parole Board for a review hearing on July 19, 2022 and was represented by Attorney John Rull. Mr. Tammaro was denied parole after his initial hearing in 1997. He was granted parole after his 2002 review hearing and released from custody in 2005. His parole, however, was revoked in 2008. Mr. Tammaro was denied parole at review hearings in 2008, 2013, and 2019. The entire video recording of Mr. Tammaro's July 19, 2022, 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 parole².

¹ Former Chair Gloriann Moroney was no longer a board member at the time of the vote.

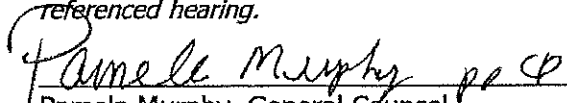
² Three board members voted to grant parole and two board members voted to deny parole with a review in two years.


Reserve to CRJ transitional housing after six months in lower security³. On December 19, 1982 21-year-old Mr. Tammaro shot and killed 20-year-old Leslie Ann Haynes. He has been back in custody for fourteen years. In that time, he has incurred no disciplinary reports and has engaged in programming to address the Board's concerns. The Board considered Dr. DiCataldo's evaluation and incorporates his recommendations into its conditions. These recommendations include individual and group counseling to address his particular needs. Mr. Tammaro demonstrated insight and agrees with recommendations. He has satisfied all program requirements.

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. Tammaro'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. Tammaro's risk of recidivism. Applying this standard to the circumstances of Mr. Tammaro's case, the Board is of the opinion that John Tammaro is rehabilitated and, therefore, merits parole at this time.

Special Conditions: Reserve to CRJ transitional housing; Waive work for program; Curfew – must be at home between 10pm and 6am; 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 evaluation and follow recommendations; Counseling for grief; Must have mental health counseling (individual and group) to address social skills and social cues; Mandatory – sign releases for Dr. DiCataldo's report to [be provided] to all treatment providers.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.


Pamela Murphy, General Counsel


Date

³ Since the time of the vote, the Board is in receipt of new information regarding Mr. Tammaro's medical state that may render this release plan impracticable. Accordingly, the Board will revisit the release conditions upon receipt of a proposed home plan.