



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

Gloriann Moroney
Chair

DECISION

IN THE MATTER OF

JOSEPH CARDOZO

W39662

TYPE OF HEARING: Review Hearing

DATE OF HEARING: June 21, 2018

DATE OF DECISION: May 9, 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 that the inmate is not a suitable candidate for parole.¹ Parole is denied with a review scheduled in three years from the date of the hearing.

I. STATEMENT OF THE CASE

On April 11, 1983, in Norfolk Superior Court, Joseph Cardozo pleaded guilty to the second-degree murder of Joyce Dapper and was sentenced to life in prison with the possibility of parole.

On or about July 28, 1981, 20-year-old Joseph Cardozo murdered his neighbor, 34-year-old Joyce Dapper. According to Mr. Cardozo's statements to the police, and at his plea hearing, he was at Ms. Dapper's house in Cumberland, Rhode Island, where they had been discussing the possibility that Mr. Cardozo's girlfriend may be pregnant. At some point in the conversation, Mr. Cardozo felt that Ms. Dapper had insulted his girlfriend. He told police that he struck Ms. Dapper in the back of the head four or five times, knocking her unconscious. He put her body in the

¹ Two Board Members voted to reserve to an approved home plan after 9 months in lower security.

trunk of his car, shot her twice with a .22 caliber rifle that he had retrieved from his parent's home (after he had knocked her unconscious), and then drove across the state line to the woods in Wrentham, Massachusetts. Once there, he saw her hand move and thought she might still be alive. He then took a large rock and smashed Ms. Dapper twice in the head to insure that she was dead. He wrapped her body in a blanket, dragged it further into the woods, and returned home to Cumberland to hide the gun in the attic.

Neighbors reported seeing Mr. Cardozo driving Ms. Dapper's car after she had been reported missing. On August 7, 1981, Mr. Cardozo was arrested for possession of the stolen car of the victim. Upon questioning, Mr. Cardozo admitted to murdering Ms. Dapper.

II. PAROLE HEARING ON JUNE 21, 2018

On June 21, 2018, Joseph Cardozo, now 57-years-old, appeared before the Parole Board for a review hearing. He was not represented by an attorney. Mr. Cardozo was denied parole after his initial hearing in 1996, and after his review hearings in 1999 and 2003. Mr. Cardozo was paroled in 2007, but was returned to custody in 2008. He incurred parole violations for irresponsible conduct that resulted in a restraining order and association with persons known to have a criminal history. Mr. Cardozo was re-paroled in October 2008, but was again returned to custody in 2010, after pictures of a party at his apartment (where underage people had been consuming alcohol) were sent to the Parole Board. His parole was revoked, and he was denied parole after a review hearing in 2011. Mr. Cardozo postponed his 2016 hearing. In his opening statement to the Board, Mr. Cardozo said that the 8 years since he was returned to custody have been a learning experience. He admitted that he wrongly blamed other people for his return to custody in 2010. Mr. Cardozo also mentioned that in 2012, he had been diagnosed with "steroid-induced bi-polar personality disorder" by his mental health counselor. Since stopping his use of steroids, which he was taking to treat a medical condition, Mr. Cardozo reported having fewer memory issues and fewer mental health problems.

The Board noted that Mr. Cardozo has given different versions of how, and where, the murder occurred, and questioned him as to which version he told the Board in 2007. Mr. Cardozo stated that in 2007, he told the Board the truth: that he murdered Ms. Dapper at his parent's house in Rhode Island, where she had been staying. He claimed that in the midst of a mental breakdown, he contemplated killing himself with a rifle in his parent's kitchen. Mr. Cardozo told the Board that he was hallucinating and, when Ms. Dapper came into his parent's house, he mistook her for his mother. Mr. Cardozo admitted that he wanted to kill his mother at the time of the shooting. He admitted to shooting Ms. Dapper twice, putting her body in his car, and driving to Wrentham, Massachusetts, where he left the body. Mr. Cardozo denied, however, hitting Ms. Dapper with a rock or inflicting any other injuries. He claimed that Rhode Island police beat him and, out of fear, he agreed with an investigator's theory that he beat Ms. Dapper at her house and then killed her when he hit her with a rock in Wrentham. Mr. Cardozo said that when the police learned that Ms. Dapper had been shot, he changed his testimony to say he used a gun instead of a rock.

The Board questioned Mr. Cardozo about his parole violations in 2008 and 2010. Mr. Cardozo admitted to writing a letter to the Board in 2008 (in which he portrayed his girlfriend as stalking him), blaming her for his issues with supervision. In explaining the restraining order that his girlfriend took out against him, Mr. Cardozo claimed he never hit her. Mr. Cardozo told the

Board that he made "bad choices," as he was not ready for parole in 2008, nor was he ready for a serious relationship. He apologized for not being honest with his parole officer about problems in his relationship and his associations. Board Members also questioned Mr. Cardozo about pictures of under-age drinking at his house. Mr. Cardozo explained how he had taken in an 18-year-old co-worker and had begun a romantic relationship with her. Mr. Cardozo denied being present when any drinking occurred, claiming that he worked 20 hours a day (at two jobs) and was seldom home.

The Board recognized that Mr. Cardozo has re-engaged in programming, work, and faith-based volunteer work. Mr. Cardozo told the Board that he has been sober for seven years and takes cognitive restructuring classes to help with his self-esteem and his honesty with others. Since his return to custody, Mr. Cardozo said that he has learned to change, both in the way he acts and the way he thinks. Mr. Cardozo asked to be paroled to a six month long term residential program. He has two offers for housing and an opportunity to have his former job back, if released. Mr. Cardozo said that he has the support of his ex-girlfriend, a friend from church, and his former boss.

Mr. Cardozo's ex-girlfriend and his former boss testified in support of parole. Norfolk County Assistant District Attorney Marguerite Grant testified on behalf of her office and on behalf of the Cumberland, Rhode Island Police Department, in opposition to parole. The Norfolk District Attorney's Office submitted a letter in opposition to parole. Cumberland, Rhode Island Police Chief John Desmarais also submitted a letter in opposition to parole.

III. DECISION

The Board is of the opinion that Joseph Cardozo has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The majority of the Board is of the opinion that Mr. Cardozo continues to be deceitful regarding the violation that led to his return to custody. He has violated parole twice. Release does not meet 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. The Board also considered a risk and needs assessment, and whether risk reduction programs could effectively minimize Mr. Cardozo's risk of recidivism. The Board considered Mr. Cardozo's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of incarceration. After applying this standard to the circumstances of Mr. Cardozo's case, the Board is of the opinion that Joseph Cardozo is not rehabilitated and, therefore, does not merit parole at this time.

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



Shara Benedetti, Acting General Counsel

5/9/19

Date