



*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
JOSEPH IRIZARRY
W70035**

TYPE OF HEARING: Review Hearing

DATE OF HEARING: March 10, 2020

DATE OF DECISION: June 1, 2020

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

STATEMENT OF THE CASE: On October 12, 2001, in Essex County Superior Court, a jury convicted Joseph Irizarry of the second-degree murder of Angel Rodriguez. Subsequently, Mr. Irizarry was sentenced to life in prison with the possibility of parole.

Mr. Irizarry, now 40-years-old, appeared before the Parole Board for a review hearing on March 10, 2020 and was represented by Attorney Patricia Garin. The entire video recording of Mr. Irizarry's March 10, 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 by unanimous decision that the inmate is a suitable candidate for parole. Reserve to an approved home plan.¹ Mr. Irizarry has served 20 years for the murder of Angel Rodriguez. It is the opinion of the Board that Mr. Irizarry has made substantial rehabilitative progress and his release would not be incompatible with the welfare of society. Since his last hearing, he has continued to engage in meaningful treatment/programming. Throughout the hearing he was able to articulate as to how he has been rehabilitated often providing concrete examples of it. Mr. Irizarry presented a strong parole plan and has significant amount of support in the community.

¹ Three Board Members voted to Reserve to an approved home plan, but not before a gradual reduction in 6 months in lower security.

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

Special Conditions: Reserve to an approved home plan; Approve home plan before release; Waive work; Must be at home between 10 p.m. and 6 a.m. or at Parole Officer discretion – after home confinement when the state of emergency is lifted; ELMO-electronic monitoring at Parole Officer discretion; 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 substance abuse evaluation; Must have mental health counseling for adjustment/transition.

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. Irizarry, 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



Date