

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 MESSERE
W38304

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **December 10, 2019**

DATE OF DECISION: **May 11, 2020**

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

STATEMENT OF THE CASE: On June 17, 1981, after a jury trial in Norfolk Superior Court, Joseph Messere was found guilty of the second-degree murder of Ronald Voda and was sentenced to life in prison with the possibility of parole.

Mr. Messere appeared before the Parole Board for a review hearing on December 10, 2019 and was represented by Attorney David Apfel. This was Mr. Messere’s sixth appearance before the Board, having been denied parole in 1995, 1998, 2004, 2008 and 2013. Mr. Messere postponed his hearing in 2018. The entire video recording of Mr. Messere’s December 10, 2019 hearing is fully incorporated by reference to the Board’s decision.

DECISION OF THE BOARD: Parole is denied with a review in four years from the date of the hearing. Mr. Messere remains resistant to change. He murdered Mr. Voda almost 40 years ago and refuses to accept responsibility for the offense. Mr. Messere has yet to address his causative factor[s] through participation in meaningful treatment and programming. Mr. Messere is encouraged to remain disciplinary report free and avail himself to all recommended programming. He has extensive criminal history in Massachusetts and Florida. He was on parole at the time of the offense for assault and battery on a Gardner police officer.

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.

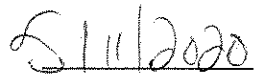
In forming this opinion, the Board has taken into consideration Mr. Messere's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board has also considered a risk and needs assessment and whether risk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

IMPORTANT NOTICE: The above decision is an abbreviated administrative decision. This was issued at the request of counsel and in response to his waiver of rights to a full administrative decision due to the COVID-19 pandemic.

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



Pamela Murphy, General Counsel



Date