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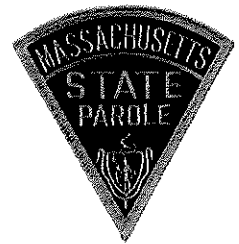
*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

*12 Mercer Road*  
*Natick, Massachusetts 01760*

*Telephone: (508)-650-4500*

*Facsimile: (508)-650-4599*



**Tina M. Hurley**  
Chair

**Lian Hogan**  
Executive Director

**RECORD OF DECISION**

**IN THE MATTER OF**

**JOSHUA KINZLE**  
**W60336**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** August 13, 2024

**DATE OF DECISION:** December 12, 2024

**PARTICIPATING BOARD MEMBERS:** Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, Rafael Ortiz<sup>1</sup>

**VOTE:** Parole is granted to a Long-term Residential Treatment Program, but not before District Attorney clearance.<sup>2</sup>

**PROCEDURAL HISTORY:** On March 25, 1996, in Bristol Superior Court, Joshua Kinzle pleaded guilty to four counts of aggravated rape and was sentenced to life in prison with the possibility of parole. On that same date, he pleaded guilty to entry of a dwelling by force and received a concurrent life sentence with the possibility of parole. He also pleaded guilty to armed burglary, assault with intent to murder, and assault and battery with a dangerous weapon and received three concurrent sentences of 9 to 10 years in prison.<sup>3</sup>

Joshua Kinzle, now 49-years-old, appeared before the Board on August 13, 2024, for a review hearing. He was represented by Northeastern University School of Law Student Attorneys Cate Ives Spigel and Diana-Andreea Zlotea under the supervision of Attorney Patricia Garin. Mr. Kinzle postponed his initial hearing in 2014, and was denied parole in 2019. The entire video

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<sup>1</sup> Chair Hurley was not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote.

<sup>2</sup> Three Board Members voted to deny parole with a review in two years.

<sup>3</sup> Mr. Kinzle also pleaded guilty to one count of home invasion and one count of armed assault in a dwelling. These convictions were later vacated. *Commonwealth v. Kinzle*, 87 Mass. App. Ct. 1114 (2015).

recording of Joshua Kinzle's August 13, 2024, hearing is hereby incorporated, by reference, into this decision.

**STATEMENT OF THE CASE:** At 2:30 a.m., on August 2, 1994, 18-year-old Joshua Kinzle broke into the North Attleboro home of his neighbor. Armed with a golf club, he proceeded upstairs, where he beat the 44-year-old victim, who was home alone and asleep in her bed. Mr. Kinzle then raped her (multiple times), sodomized her, and forced her to perform fellatio. He told her, "Now it's time to die." At that point, the victim punched out the screens of her bedroom window. She hung out the window and screamed, causing neighbors to call the police and Mr. Kinzle to leave. When police officers arrived, they observed a great deal of blood in the victim's bedroom, including blood on a broken golf club. The victim was taken to the hospital, where she eventually underwent reconstructive surgery on her face.

In the next few days, North Attleboro police officers and state police officers worked cooperatively to question as many people as possible in the neighborhood. Mr. Kinzle told the officers that on the night of the rapes, he had been out with his friends. He said that when he came home, he heard nothing. Later, Mr. Kinzle was brought to the police station for additional questioning, at which time he admitted to committing the attack.

**APPLICABLE STANDARD:** Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an incarcerated individual's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the incarcerated individual's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

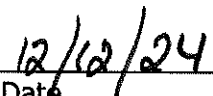
**DECISION OF THE BOARD:** Mr. Kinzle committed this offense when he was 18-years-old and has been incarcerated for the past 30 years. He was last before the Board in 2019. While incarcerated, he has completed 44 programs, including 13 programs since the last time he was before the Board. These programs include SOTP (Sex Offender Treatment Program) and the Victim Impact Program, which had been recommended by the Board at his 2019 hearing. He has been a Graduate Support Person for the Sex Offender Treatment Program, demonstrating his insight into the offending behavior. He is in mental health therapy and attends AA (Alcoholics Anonymous) meetings weekly. Mr. Kinzle provided a forensic evaluation from Dr. Leonard Bard, a forensic psychologist with expertise in sexual offending behavior, who determined Mr. Kinzle to be a low risk of future sexual offending behavior. The Board has considered Mr. Kinzle's age at the time of his offenses. He has family and community support and a solid release plan.

The Board heard testimony from William Canavan from The Baystate Reentry Network in support of parole. Bristol County Assistant District Attorney Michael Sheehan testified in opposition to parole, but acknowledged Mr. Kinzle's progress towards rehabilitation.

**SPECIAL CONDITIONS:** Waive work for program; 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; No contact with victim(s); Must have substance abuse evaluation and follow recommendations; Must have mental health counseling for re-entry; Long-Term Residential Treatment Program, AA at least three times/week; Mandatory Sex A conditions.

*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.*

  
Tina M. Hurley, Chair

  
Date