

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

Terrence Reidy
Acting Secretary

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Gloriann Moroney
Chair

Kevin Keefe
Executive Director

RECORD OF DECISION

IN THE MATTER OF

LEONARD GIROUX
W83952

TYPE OF HEARING: **Review Hearing**
DATE OF HEARING: **March 18, 2021**
DATE OF DECISION: **October 12, 2021**

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

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 in two years from the date of the hearing.

I. STATEMENT OF THE CASE

On July 15, 2004, after a jury trial in Barnstable Superior Court, Leonard Giroux was convicted of second-degree murder in the death of 40-year-old Cheryl Tavares and sentenced to life in prison with the possibility of parole.²

On April 8, 2002, Cheryl Tavares was found dead in the trunk of her car in the Sagamore commuter parking lot. Earlier that evening, Ms. Tavares met 20-year-old Leonard Giroux at a night club. They ended up having sex in a car, where Mr. Giroux eventually strangled her to death. He told one of his friends that Ms. Tavares passed out, while having sex, after she told him to choke her. When the others present told Mr. Giroux to check her pulse, he indicated that she did not have one. Stating that he was unsure of what to do with the body, Mr. Giroux drove Ms. Tavares' car away from the house.

¹ Two Board Members voted to grant parole to a sober home after 18 months in lower security and clearance from the District Attorney.

² He had 3 co-defendants: Jason Denwood, Michael Miranda, and Nathan Zaragoza.

Mr. Giroux was arrested in Maine on April 9, 2002. He gave a statement to police indicating that he knew he would be questioned about the death of Ms. Tavares and then arrested for her murder. The medical examiner concluded that her death was a strangulation/asphyxia-type death and ruled the death a homicide.

II. PAROLE HEARING ON MARCH 18, 2021

Leonard Giroux, now 40-years-old, appeared before the Parole Board on March 18, 2021, for a review hearing. He was represented by student attorneys from Boston College Law School. Mr. Giroux was denied parole after his initial hearing in 2017. In his opening statement to the Board, Mr. Giroux admitted to the crime and acknowledged the impact of his actions on both the victim and her family. He also apologized for his previous failures to accept responsibility for his crime.

The Board questioned Mr. Giroux as to his progress towards rehabilitation in the four years since his initial hearing. Mr. Giroux acknowledged the Board's previous concerns regarding his institutional adjustment and history of domestic violence, as well as the sexual tones underlying the governing offense. To address a portion of these concerns, Mr. Giroux indicated that he completed the American Community Corrections Institute Domestic Violence Cognitive Skills Course and the Offender Responsibility Cognitive Life skills Course, both mail-order courses, within the last year. He also completed a 12 session Emotional Awareness and Emotional Healing Program and, subsequently, served as a facilitator for the same. Mr. Giroux noted how childhood trauma impacted his prior relationships, contributing to his pattern of toxic and violent behavior. He also discussed how his programming efforts have helped him identify factors that impair his ability to empathize with others. Although the Board had previously recommended participation in Phase One of Sex Offender Treatment, Mr. Giroux stated that he attempted to enroll in the program, but he was denied due to the nature of his offense. He said that the program was eventually disbanded, and that he has not participated in any similar program. Mr. Giroux continued to participate in Alcoholics Anonymous and Narcotics Anonymous until the meetings were suspended due to the COVID-19 pandemic.

The Board questioned Mr. Giroux as to the governing offense and, despite his participation in numerous programs, his version of the crime continues to evolve. The Board noted several inconsistencies between Mr. Giroux's written version of events, first submitted in anticipation of his 2017 hearing and then adopted without change for his 2021 review hearing, and his oral testimony at the hearing. Specifically, the Board questioned Mr. Giroux as to the point at which strangulation began. Mr. Giroux's answers at the hearing appeared to differ from his written account of the crime. In his written account, Mr. Giroux indicated that he began to apply pressure to the victim's neck during intercourse, an act he denied doing at this hearing. At this hearing, Mr. Giroux stated that he put his hands on the victim's neck, but not during the act of intercourse. Despite multiple questions concerning this point, the Board remains unclear as to the point at which Mr. Giroux began to strangle Ms. Tavares.

The Board considered a letter in opposition to parole submitted by Cape and Islands District Attorney Michael O'Keefe.

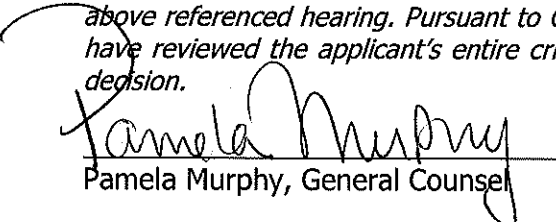
III. DECISION

The Board is of the opinion that Leonard Giroux has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Giroux has served 19 years for the murder of Cheryl Tavares. Despite participation in numerous programs, his version of the crime continues to evolve. Mr. Giroux has a prior history of domestic violence and would benefit from participation in [the] Victim Offender Education Group and [should] pursue any programming that addresses healthy relationships and [a] propensity for domestic violence.

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. Giroux'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. Giroux's risk of recidivism. After applying this standard to the circumstances of Mr. Giroux's case, the Board is of the opinion that Leonard Giroux is not rehabilitated and, therefore, does not merit parole at this time.

Mr. Giroux's next appearance before the Board will take place in two years from the date of this hearing. During the interim, the Board encourages Mr. Giroux to continue working toward 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.


Pamela Murphy, General Counsel

10/12/2021
Date