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PAROLE BOARD

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Tina M. Hurley
Chair

Daniel Nakamoto
Acting Executive Director

RECORD OF DECISION

IN THE MATTER OF

MATTHEW LAVOIE

W82875

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **April 6, 2023**

DATE OF DECISION: **June 15, 2023**

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On December 16, 2003, after a jury trial in Middlesex Superior Court, Matthew Lavoie was convicted of second-degree murder in the death of 29-year-old Westley Vaananen and was sentenced to life in prison with the possibility of parole.

Mr. Lavoie appeared before the Parole Board for a review hearing on April 6, 2023. He was represented by Attorney Deirdre Thurber. Mr. Lavoie was denied parole after his initial hearing in 2016 and after his review hearing in 2021. The entire video recording of Mr. Lavoie's April 6, 2023, 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 vote that the inmate is a suitable candidate for parole.

The Board is of the opinion that Matthew Lavoie has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Reserve to Long-term residential program after four months in lower security. On March 7, 2001, 21-year-old Mr. Lavoie and two codefendants participated in the shooting death of 29-year-old Westley Vaananen. Mr. Lavoie accepts responsibility for the murder. His disciplinary history has improved in recent years. He has engaged in programs to include CRA, Criminal Thinking, Violence Reduction, and the Graduate Maintenance Program. He also completed Barber Training and four correspondence courses through ACCI. While incarcerated, Mr. Lavoie

sustained a traumatic brain injury as a result of an assault and still suffers from medical and mental health issues as a result. He presented a thoughtful parole plan and also provided a comprehensive relapse prevention plan. The Board notes he has a large, supportive family. The Board encourages him to prioritize his sobriety and mental health as he reenters the community.

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. Lavoie'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. Lavoie's risk of recidivism. After applying this standard to the circumstances of Mr. Lavoie's case, the Board is of the unanimous opinion that Matthew Lavoie is rehabilitated and, therefore, merits parole at this time.

Special Conditions: Reserve to LTRP after four months in lower security; Waive work for disability; Curfew – Must be at home between 10pm and 6am; ELMO-electronic monitoring; Must take prescribed medication as directed; 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 or association with STG associates; No contact with victim's family; Must have mental health evaluation and follow recommended treatment; Must have substance abuse evaluation and follow recommended treatment; Counseling for adjustment/transition; AA/NA at least 3 times/week.

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

6/15/23
Date