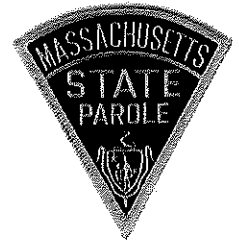


The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



Charles D. Baker  
Governor

Karyn Polito  
Lieutenant Governor

Thomas A. Turco III  
Secretary

PAROLE BOARD  
12 Mercer Road  
Natick, Massachusetts 01760

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

Gloriann Moroney  
Chair

Kevin Keefe  
Executive Director

**DECISION**

**IN THE MATTER OF**

**MICHELLE TOURIGNY  
F36778**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** April 23, 2019

**DATE OF DECISION:** February 18, 2020

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, 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 by unanimous vote that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in four years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On November 16, 1999, in Middlesex Superior Court, a jury found Michelle Tourigny guilty of second-degree murder in the death of 54-year-old Manuel Martin. She was sentenced to life in prison with the possibility of parole.

Michelle Tourigny (age 32) and Manuel Martin had been involved in a relationship since December 1997. During their relationship, Ms. Tourigny physically assaulted Mr. Martin on several occasions, including a stabbing. On March 21, 1998, Mr. Martin complained to a building security officer that Ms. Tourigny punched him and then picked up a knife and tried to kill him. When security guards brought Ms. Tourigny into the office, she said, "He hit me first." Ms. Tourigny later told her social worker that she had an argument with Mr. Martin and stabbed him with a knife. In April 1998, Mr. Martin moved into Ms. Tourigny's apartment in Lowell.

On the night of September 10, 1998, Ms. Tourigny and Mr. Martin were in their apartment with Mr. Martin's son and two neighbors. Both Ms. Tourigny and Mr. Martin had been drinking and, as the night progressed, began to argue when Ms. Tourigny wanted money from Mr. Martin to buy more alcohol. At approximately 10:00 p.m., Mr. Martin's son and the two neighbors left the apartment to go to another on the same floor. Mr. Martin's son then heard Mr. Martin yelling in Spanish, "She stabbed me, she stabbed me," and "It hurts." He ran back to find his father outside the apartment. Mr. Martin's son lifted his father's shirt and noticed blood coming from a wound in his upper abdomen. He also noticed Ms. Tourigny leave the apartment holding a knife with an 8 inch blade. When a nurse's aide asked who had injured him, Mr. Martin replied that it was his "wife," referring to Ms. Tourigny. Police were called, and Mr. Martin was transported to Lowell General Hospital, where he later died.

After speaking to several individuals, police located Ms. Tourigny in the neighboring apartment. When asked to step into the common hallway, she spontaneously told them, "He beats me. It was self-defense. He beats me all the time." Ms. Tourigny, however, did not appear to have any injuries, nor had she complained of any injuries. She was subsequently arrested.

## **II. PAROLE HEARING ON APRIL 23, 2019**

Michelle Tourigny, now 52-years-old, appeared before the Parole Board on April 23, 2019, for a review hearing. She was represented by Harvard Law Students Erin Fowler and Kaitlyn Gerber. Ms. Tourigny was denied parole after her initial hearing in 2013. She postponed her review hearing in 2018. In her opening statement to the Board, Ms. Tourigny expressed her sorrow for her actions leading to the death of Mr. Martin. She wished that she could change the events of that day and indicated that she will be forever remorseful. She also apologized to the Martin family. Ms. Tourigny explained that she is not the same person she was when she entered prison 21 years ago. Ms. Tourigny told the Board that she was under the influence of drugs and alcohol at the time of the stabbing. Later in the hearing, however, she indicated that she was under the influence of alcohol only. Ms. Tourigny also spoke of the abusive relationships that she endured both as a child and as an adult.

When questioned as to the governing offense, Ms. Tourigny told the Board that Mr. Martin lived with her and that they drank alcohol (heavily) on a daily basis. The relationship became abusive. On the day of the stabbing, Ms. Tourigny stated that an argument started about a cigarette found in the laundry room. They argued all the time and "when he would come after me, I would go after him." Ms. Tourigny admitted that the arguments between the couple revolved around purchasing alcohol and the use of alcohol. She also spoke of a previous incident with Mr. Martin when she attempted to stab him with a knife, but it landed on his belt. Regarding his death, Ms. Tourigny stated, "It just happened so quick that I didn't know the serious[ness] of the crime." She admitted that at one point, she gave three different versions about the facts surrounding Mr. Martin's death. She indicated, however, that the last version was the truth. When Board Members questioned Ms. Tourigny as to why she had stabbed Mr. Martin, she responded, "Because I thought he was going to kill me with the knife." Ms. Tourigny explained that she sees herself as a domestic violence victim, as well as a perpetrator.

Since her last hearing, Ms. Tourigny said that she completed three Anger Management Groups, two Substance Abuse Programs, and the Restorative Justice Program. As well, she attends Alcoholics Anonymous/Narcotics Anonymous (AA/NA) twice a week. As to any mental health services, Ms. Tourigny indicated that she meets with her therapist and is medication compliant. Currently, she works four days a week at the facility. Ms. Tourigny acknowledged that, since her last hearing, she had disciplinary reports for missing school.

Middlesex Assistant District Attorney Megan McGovern testified in opposition to parole.

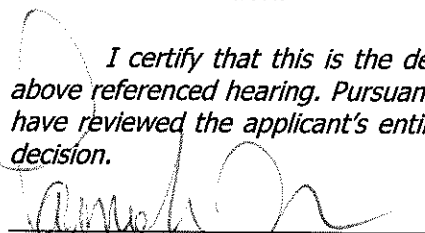
### **III. DECISION**

Although Michelle Tourigny has made strides in her rehabilitation, her release is not compatible with the welfare of society. She needs a longer period of positive adjustment and should remain program compliant. Additionally, she continues to minimize her criminal culpability at the time of offense.

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

Ms. Tourigny's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages her to continue working towards her 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

2/18/2020  
Date