

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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Tina M. Hurley
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Acting Executive Director

RECORD OF DECISION

IN THE MATTER OF

MIGUEL PEREZ

W102462

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: March 9, 2023

DATE OF DECISION: June 7, 2023

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

STATEMENT OF THE CASE: On April 11, 2013, in Middlesex Superior Court, Mr. Perez pleaded guilty to second degree murder in the death of 29-year-old Denis Osorio and was sentenced to life in prison with the possibility of parole.

Mr. Perez appeared before the Parole Board for an initial hearing on March 9, 2023. He was represented by student attorneys from Harvard University Law School. The entire video recording of Mr. Perez's March 9, 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.

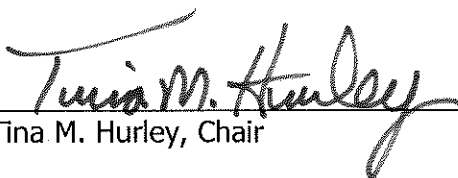
The Board is of the opinion that Miguel Perez has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Reserve to Long-term residential program after eighteen months in lower security. Mr. Perez participated in the shooting death of Denis Osorio on April 30, 2008. Mr. Perez was 19 years old at the time of the offense. Mr. Perez had a tumultuous childhood with numerous placements within the foster care system. He was a witness to and victim of violence and other significant abuse throughout his life leading up to the murder. He has accepted full responsibility for his role in the offense and

has had a positive institutional adjustment throughout his incarceration. Mr. Perez has been diagnosed with multiple mental health issues and sees mental health twice per month and is compliant with medication. He has committed fully to his rehabilitation through participation in VOEG, CRA, Restorative Justice, Alternatives to Violence, and Jericho Circle. The Board feels a gradual transition through lower security will aid in his reentry. The Board encourages him to continue mental health counseling while on parole. The Board notes he has obtained significant vocational training and encourages him to apply that in his employment search upon release.

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

Special Conditions: Reserve to LTRP after eighteen months in lower security; Waive work for program; Curfew – Must be at home between 10pm and 6am; ELMO-electronic monitoring; Must take prescribed medication; 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; Must have mental health counseling for mood disorder, trauma; 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

6/7/23
Date