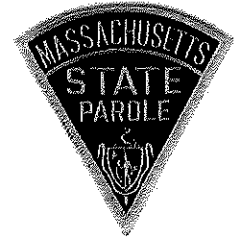


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

RICARDO BACIGALUPO

W61248

TYPE OF HEARING: Review Hearing

DATE OF HEARING: October 2, 2018

DATE OF DECISION: July 22, 2019

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa, Lucy Soto-Abbe,¹ Paul Treseler

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 September 11, 1996, after a jury trial in Hampden Superior Court, Ricardo Bacigalupo was convicted of the second-degree murder of 82-year-old Charles Glenney. He was sentenced to life in prison with the possibility of parole. Mr. Bacigalupo unsuccessfully appealed his conviction.²

On November 27, 1995, Ricardo Bacigalupo (age 24) murdered his landlord Charles Glenney. Mr. Bacigalupo had rented a room on the second floor of Mr. Glenney's house. On the morning of November 27, at about 9:00 a.m., Mr. Bacigalupo and Mr. Glenney went to the

¹ Board Member Soto-Abbe was present at the hearing, but was not a Board Member at the time of vote.

² *Commonwealth v. Ricardo Bacigalupo*, 49 Mass. App. Ct. 629 (2000), cert. denied, 49 Mass. 1107 (2000).

Hampden Savings Bank, where Mr. Glenney cashed an \$800 check made out to Mr. Bacigalupo. At about 10:00 a.m., Mr. Glenney's car was observed backing out of Mr. Glenney's driveway; it was later found abandoned at Bradley International Airport in Connecticut. Sometime after 10:00 a.m., Mr. Bacigalupo appeared at the American Airlines counter at the airport to purchase a ticket to Puerto Rico for a 1:30 p.m. flight. At about 1:00 p.m., Mr. Glenney was found on the floor of his home, brutally beaten, but still alive. He was rushed to the hospital, where he died seven days later of blunt trauma injuries to his head and neck.

Springfield police learned that Mr. Bacigalupo had used some of the victim's credit cards en route to, and after, his arrival in Puerto Rico and requested the assistance of police in Puerto Rico to locate him. After Mr. Bacigalupo was apprehended, police in Puerto Rico questioned him about his credit card usage. Shortly thereafter, they received communication from the Springfield Police Department to arrest Mr. Bacigalupo for murder.

II. PAROLE HEARING ON OCTOBER 2, 2018

On October 2, 2018, Ricardo Bacigalupo, now 47-years old, appeared before the Parole Board for a review hearing. He was not represented by counsel. Mr. Bacigalupo was denied parole after both his initial hearing in 2010, and his review hearing in 2013. In his opening statement to the Board, Mr. Bacigalupo apologized for killing Mr. Glenney and for falsely accusing Mr. Glenney of making sexual advances towards him. Mr. Bacigalupo described how he went into Mr. Glenney's bedroom and stole his credit card. When Mr. Glenney entered the room and caught him, Mr. Bacigalupo claims that he grabbed the first thing he could, wrapped it around Mr. Glenney's neck, and strangled him. Mr. Bacigalupo then admitted to fleeing the state to Puerto Rico.

The Board questioned Mr. Bacigalupo about his 2013 accusation that Mr. Glenney had made sexual advances towards him, as well as previous accusations that two other people had murdered the victim. Mr. Bacigalupo apologized for lying to the Board, stating that he lied as a way of justifying his actions. When Board Members questioned him as to why the victim's pants were pulled down when paramedics arrived, Mr. Bacigalupo speculated that they may have fallen when the two men struggled. Later in the hearing, a Board Member noted that the medical examiner made no mention of strangulation. The cause of death was listed as blunt force trauma to the head and neck with a description of the victim as having been severely beaten. Mr. Bacigalupo insisted that he strangled Mr. Glenney and had no explanation as to why the medical examiner described the victim as being severely beaten. When Board Members questioned him about alleged phone calls he made confessing to the murder to his former employer, Mr. Bacigalupo denied that he made the calls. He claimed that his former employer lied about the confession because he had stolen \$4,000 from the employer.

The Board questioned Mr. Bacigalupo about his programming and institutional adjustment. Mr. Bacigalupo reported that he has had very few disciplinary reports, and only one fight, since being incarcerated. He credited programs such as Alternatives to Violence, Anger Management, and Leadership Training and Transforming Thinking for helping him identify his triggers and learn how to de-escalate conflicts. Mr. Bacigalupo denied having any mental health or substance abuse issues. Mr. Bacigalupo worked as an electrician's apprentice at the prison. He has his barber's and welding licenses and is trained in heating and air conditioning. Mr. Bacigalupo asked that he be allowed a step-down to minimum security before

being released to live with his daughter in Pennsylvania. He hopes to find work as an electrician, or in construction, and requests one on one counseling for re-adjustment.

Mr. Bacigalupo's mother, son, and daughter testified in support of parole. His mother, son, two daughters, and daughter-in-law submitted letters in support of parole. Assistant District Attorney Howard Safford testified in opposition to parole.

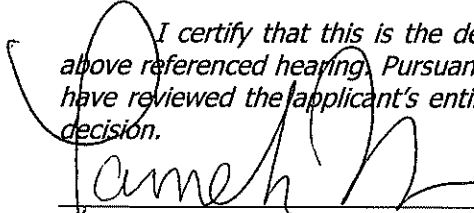
III. DECISION

The Board is of the opinion that Ricardo Bacigalupo has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Bacigalupo brutally murdered an 82-year-old man and maintained his innocence for over two decades. Mr. Bacigalupo needs to engage in programming to address his causative factors.

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

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



Date