

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

RICARDO REYES

W80505

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: January 11, 2022

DATE OF DECISION: September 22, 2022

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 by unanimous vote that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in three years from the date of the hearing.

I. STATEMENT OF THE CASE

On June 21, 2002, in Essex Superior Court, Ricardo Reyes pleaded guilty to the second-degree murder of Juan Vasquez and was sentenced to life in prison with the possibility of parole. On that same date, he pleaded guilty to armed robbery and received a concurrent 10 to 12 year sentence.

On December 30, 1997, 24-year-old Ricardo Reyes, along with his co-defendant, Israel Perez, robbed and killed 30-year-old Juan Vasquez, a taxicab driver in Methuen. The case was unsolved for two and a half years until investigations led to Mr. Reyes and Mr. Perez. They both made statements to police suggesting the following: On December 30, 1997, Mr. Perez and Mr. Reyes had a conversation about needing money. They hailed a cab, armed with a .22 caliber weapon, with the intent of robbing the driver. They pointed the gun at the back of Mr. Vasquez' head and demanded his money. During the robbery, Mr. Perez shot Mr. Vasquez in

the back of the head. The two men fled the taxi and were picked up by friends. They later went to a local bar and sold the murder weapon.

II. PAROLE HEARING ON JANUARY 11, 2022¹

Ricardo Reyes, now 44-years-old, appeared before the Parole Board for an initial hearing on January 11, 2022. Mr. Reyes was represented by Attorney Michael Bourbeau. The Parole Board provided a Spanish interpreter for Mr. Reyes. Upon Board Member questioning, Mr. Reyes said that he was born in the Dominican Republic and moved to Puerto Rico with his cousin when he was a child. He was arrested and charged with first-degree murder while living in Milwaukee. Mr. Reyes told the Board, however, that he was released after it was discovered that his roommate had committed the murder. When the Board questioned him about the governing offense, Mr. Reyes stated that he and his co-defendant needed money for food, so they decided to rob a taxi driver at gunpoint. Mr. Reyes explained that, while it was his gun used in the murder, his co-defendant was the shooter. Claiming that the murder was an accident, Mr. Reyes said that his co-defendant pointed the gun at the cabdriver, and the gun just "went off." Mr. Reyes was serving a prison sentence in Rhode Island for dealing heroin, when he learned that he and his co-defendant had been indicted for the murder of Mr. Vasquez.

Upon Board Member questioning, Mr. Reyes explained that he was diagnosed with schizoaffective disorder, reporting symptoms of paranoid thinking and auditory hallucinations. He was transferred to Bridgewater State Hospital in 2018, after he stopped taking his medications and experienced severe decompensation. Mr. Reyes claimed that he now takes his prescribed medications because he has been ordered by the court to do so. The Board noted that, if paroled, Mr. Reyes would be released to an immigration detainer and could be deported to the Dominican Republic. The Board also noted that, in the past, Mr. Reyes became very sick without medication to treat his mental illness and, subsequently, had several involuntary commitments under G.L. c. §18(a). Board Members expressed their concern that Mr. Reyes did not have a plan to address his mental health needs should he be returned to the Dominican Republic.

The Board considered a psychological evaluation submitted by Dr. DiCataldo, as well as a report and the testimony of Kimberly Mortimer MS, LMHC. The Board considered testimony in opposition of parole from Essex County Assistant District Attorney Emily Mello.

III. DECISION

The Board is of the opinion that Ricardo Reyes has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. He continues to struggle with his responsibility for the murder. He has only recently stabilized such that he was only recently able to come before the Board due to his serious MH (mental health) symptoms and history of non-compliance. As recently as 2018, he stopped taking his medication and began using K-2 in the institution. Ultimately, this resulted in significant decompensation requiring admission to Bridgewater State Hospital. Mr. Reyes continues to lack insight into his mental illness and need for treatment. He has required numerous Rogers

¹ The entire video recording of Mr. Reyes' January 11, 2022 hearing is fully incorporated by reference to the Board's decision.

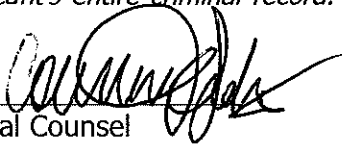
Orders and has yet to be responsible for his own medical compliance. The Board considered the expert opinion of Dr. DiCataldo. The Board recommends investment in mental health treatment, medication compliance, and a re-entry plan. Mr. Reyes presented an unrealistic parole plan given his significant mental health treatment needs.

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

Mr. Reyes' next appearance before the Board will take place in three years from the date of this hearing. During the interim, the Board encourages Mr. Reyes 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.

/s/ Pamela Murphy p.p.
Pamela Murphy, General Counsel



9/22/22
Date