

*The Commonwealth of Massachusetts
Executive Office of Public Safety and Security*



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

**RICHARD DESROSIERS
W49873**

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 14, 2020

DATE OF DECISION: October 4, 2021

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, 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 in five years from the date of the hearing.¹

I. STATEMENT OF THE CASE

On February 5, 1991, in Worcester Superior Court, Richard Desrosiers pleaded guilty to the second-degree murder of 19-year-old Karen Barriere and was sentenced to life in prison with the possibility of parole. In 2000, the Worcester Superior Court allowed Mr. Desrosiers' motion to withdraw his guilty plea and motion for new trial on the grounds that his guilty plea was not given freely or voluntarily, as he was not sufficiently informed of the elements for the crime of murder. However, on November 1, 2002, the Appeals Court reversed the lower court's decision and reinstated Mr. Desrosiers' conviction and life sentence.²

¹ Three Board Members voted to deny parole with a review in four years from the date of the hearing.

² *Commonwealth v. Desrosier*, 56 Mass. App. Ct. 348 (2002)

In the late afternoon of April 16, 1990, Richard Desrosiers (age 22), Karen Barriere, a friend of Mr. Desrosiers (Witness #1), and a juvenile female met in downtown Worcester. The foursome pooled their money and purchased two large bottles of beer and a half gallon of vodka. They proceeded to the roof of Union Station (an abandoned railroad depot), where they drank the beer and most of the vodka. They split off into couples. Witness #1 and the juvenile went to the other side of the roof, where they could neither see nor hear Mr. Desrosiers and Ms. Barriere. When Witness #1 later went back to check on them, Mr. Desrosiers told him, "Don't come near here." Witness #1 approached anyway and saw Ms. Barriere, lying naked on the roof, with her upper torso and head engulfed in flames. He also observed Mr. Desrosiers with blood on his hands and clothing. Witness #1 then screamed at Mr. Desrosiers, to which Mr. Desrosiers replied, "She's dead. She wouldn't [have sex] with me, so I killed her." Mr. Desrosiers threatened Witness #1 by telling him not to report the murder. Despite the threat, Witness #1 fled the building and reported what he had seen to the police. He brought the officers to the scene, where they found Ms. Barriere's body on the lower level of the roof. Her body had been thrown from an opening in the roof's upper level to a concrete area 19 feet below. The medical examiner determined that Ms. Barriere died from blunt force trauma, thermal injury to the neck, and smoke inhalation. Although her facial features were burned beyond recognition, her identity was confirmed through fingerprints.

Several hours after the murder, the police found Mr. Desrosiers at his parents' house. Shortly thereafter, he was charged with murder. Subsequent investigation revealed that on the evening of the murder, Mr. Desrosiers told several people that he had killed and burned someone that night. Mr. Desrosiers, however, also stated that he had no recollection of killing Ms. Barriere due to an alcohol-induced blackout.

II. PAROLE HEARING ON JULY 14, 2020

Richard Desrosiers, now 53-years-old, appeared before the Parole Board on July 14, 2020, for a review hearing. He was represented by Attorney John Rull. Mr. Desrosiers was denied parole after his initial hearing in 2005, and after his review hearings in 2010 and 2015. In his opening statement to the Board, Mr. Desrosiers apologized for his behavior during his hearing in 2015, citing his overall presentment as disrespectful. He also acknowledged that he lied to everyone, including himself, for over 25 years. Shortly after his last hearing, he began to accept responsibility for his actions that resulted in the death of Ms. Barriere. He explained that honesty with himself has allowed him to discover the causative factors of the murder. He would no longer hide behind the blackout or afterlife excuse.

Mr. Desrosiers provided the Board with an overview of the offense that is consistent with the facts of the Commonwealth. At the time of the offense, he had many character defects and was a chronic alcoholic. He was unemployed and suffered from the lingering effects of a dysfunctional social history. Mr. Desrosiers had known Ms. Barriere for a few years prior to the offense. After his hearing in 2015, Mr. Desrosiers stated that he told his mother the truth about the crime. For the first time publicly, he accepted responsibility for the death of Ms. Barriere. Mr. Desrosiers also recanted previous testimony that his motive for the murder was a book about the afterlife. In addition, he stated that the victim's desire to experience life after death did not play a part in the murder; rather, it was an excuse. Mr. Desrosiers explained that he was unable to perform sexually, and his resulting anger and rage contributed to the heinous murder. Further, he admitted to burning Ms. Barriere's lifeless body (in an attempt to conceal her identity) before dumping her through a hole.

The Board discussed Mr. Desrosiers' rehabilitative programming efforts. Since his last hearing, he has availed himself of programs to include: ACCI Substance Abuse, Anger Management, Contentious Relationships course work, Project Wake-Up, End of Violence Leadership, and Transformation Violence Reduction. Mr. Desrosiers has maintained his sobriety for the past 27 years and participates in Alcoholics Anonymous. He has been employed since 2013 in the Property Department, working as a Clerk and Janitor. The Board noted that his overall institutional adjustment has been positive.

The Board expressed their concern, however, that Mr. Desrosiers has yet to address the sexual element of the crime, as it was his inability to perform sexually that triggered his rage. The Board also highlighted the concerns noted in the Forensic Evaluation conducted by Dr. DiCataldo. In part, Dr. DiCataldo opined that Mr. Desrosiers needs to build on the experience of informing his parents about the offense (25 years later) by participating in sex offender treatment. He has made meaningful clinical progress since his last parole hearing and is on the right clinical trajectory. Only through sex offender treatment, however, will Mr. Desrosiers be able to identify the underlying motivating factors for his sexual violence. In fact, Mr. Desrosiers has expressed his desire to participate in the Sex Offender Treatment Program. The Board recognized the positive attributes provided within the evaluation and recommended that he use it as a roadmap.

The Board considered the testimony of Mr. Desrosiers' family members and friends in support of parole. The Board considered testimony in opposition to parole from Worcester County Assistant District Attorney Michelle King. The Board also considered a letter in opposition to parole from Worcester County District Attorney Joseph Early.

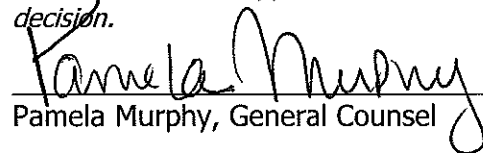
III. DECISION

The Board is of the opinion that Richard Desrosiers has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Desrosiers has served 30 years for the governing offense. According to the forensic evaluation conducted by Dr. Cataldo, "It will only be through treatment that he will be able to identify the underlying motivating factors for his sexual violence." Mr. Desrosiers maintained his innocence for 25 years. As indicated through his attorney, Mr. Desrosiers is encouraged to pursue sex offender treatment. The Board did acknowledge the rehabilitative strides he has made since his last hearing in the areas of violence, victim empathy, and substance abuse. Mr. Desrosiers is still unable to explain how he could engage in such heinous behavior.

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

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


Pamela Murphy, General Counsel

10/4/2021
Date