

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

RODNEY BALL

W98224

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: January 24, 2023

DATE OF DECISION: April 10, 2023

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

STATEMENT OF THE CASE: On March 8, 2011, in Berkshire County Superior Court, Rodney Ball pleaded guilty to second-degree murder in the death of his mother, 55-year-old Donna Agar, and was sentenced to life in prison with the possibility of parole. On that same date, he was convicted of unlawful possession of a firearm and sentenced to a concurrent term of two and one-half to three years in state prison.

Mr. Ball appeared before the Parole Board for an initial hearing on January 24, 2023. He was not represented by counsel. The entire video recording of Mr. Ball's January 24, 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 that the inmate is not a suitable candidate for parole.¹

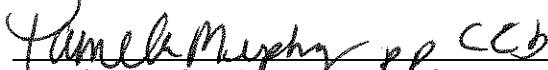
¹ Three Board Members voted to deny parole and three Board Members voted to grant parole. A majority vote is required for parole to be granted. Because of the split vote, the Board will conduct Mr. Ball's review hearing in one year from the date of this hearing.

The Board is of the opinion that Rodney Ball has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. On March 16, 2008, Mr. Ball stabbed his mother Donna Agar to death. Since his incarceration, he has engaged in meaningful programs to address his addiction and mental health, as well as his propensity for violence. Subject detailed a significant trauma history that will require intense treatment. While he will be seen in one year, the Board encourages him to continue with counseling and work to develop a strong re-entry plan to include community support and intense mental health counseling.

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

Mr. Ball's next appearance before the Board will take place in one year from the date of this hearing. During the interim, the Board encourages him 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.



Pamela Murphy, General Counsel

April 10, 2023
Date