



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

**PAROLE BOARD**

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*Chair*

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**RECORD OF DECISION**

**IN THE MATTER OF**

**STARLEEN RUTKOWSKI**  
**F80546**

**TYPE OF HEARING:**            **Review Hearing**

**DATE OF HEARING:**        **March 2, 2023**

**DATE OF DECISION:**      **August 14, 2023**

**PARTICIPATING BOARD MEMBERS:** Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse

**STATEMENT OF THE CASE:** On August 17, 2004, Starleen Rutkowski drove over her husband, Richard Rutkowski. Mr. Rutkowski was taken to a nearby hospital, where he was later pronounced dead. On June 19, 2006, following a jury trial in Hampden Superior Court, Ms. Rutkowski was convicted of murder in the first degree, and sentenced to life imprisonment without the possibility of parole. Following an appeal, her sentence was reduced to murder in the second degree, with a sentence of life imprisonment with the possibility of parole.

Ms. Rutkowski appeared before the Board for a review hearing on March 2, 2023. She was represented by Attorney Laura Mannion. Parole was denied following Ms. Rutkowski's initial hearing in 2021. The entire video recording of Ms. Rutkowski's March 2, 2023 hearing is fully incorporated by reference into 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 a suitable candidate for parole.

Reserve to DMH program or residential [program] that will meet treatment needs. Ms. Rutkowski murdered her husband, 50 [year old] Richard Rutkowski, by driving over him. She suffers from major mental health issues and has a traumatic brain injury. She also has a significant trauma history. She was not engaged in mental health treatment at the time of the offense, despite her attempt to obtain assistance. She is in counseling and is compliant with her medication. She obtained her associate's degree and completed rehabilitative programming, satisfying all program requirements. She presented a thorough, thoughtful parole plan, complete with a forensic consultation report prepared by a social worker. The proposed DMH plan will meet all her needs upon release from custody.

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 Ms. Rutkowski'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 Ms. Rutkowski's risk of recidivism. After applying this standard to the circumstances of Ms. Rutkowski's case, the Board is of the unanimous opinion that Ms. Rutkowski is rehabilitated and, therefore, merits parole at this time, subject to special conditions.

**Special conditions:** Reserve to DMH program or residential [program] that will meet treatment needs; Waive work for program; Curfew between 10PM and 6AM; 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; Comply with all provider recommendations and treatment; Sign releases.

*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

08/14/2023

Date