



Deval L. Patrick
Governor

Andrea J. Cabral
Secretary

The Commonwealth of Massachusetts
Executive Office of Public Safety

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone # (508) 650-4500
Facsimile # (508) 650-4599



Josh Wall
Chairman

DECISION

IN THE MATTER OF

STEVEN GIORDANO

W91687

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: May 13, 2014

DATE OF DECISION: July 31, 2014

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Ina Howard-Hogan, Tina Hurley, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, institutional record, the views of the public as expressed at the hearing or in written submissions to the Board, and the inmate's testimony at the hearing, we conclude by a unanimous vote that we are in need of additional information concerning the inmate's mental health needs. The Parole Board will request an assessment from the Department of Mental Health prior to making a final decision on the inmate's suitability for parole. The official vote is Action Pending.

I. STATEMENT OF THE CASE

On January 8, 1998, Steven Giordano, age 50, got into a verbal altercation with his 81-year-old mother, Marie Giordano, which escalated to Mr. Giordano severely beating his mother. She never regained consciousness and lay in a vegetative state until she died three years later. On November 30, 2000, Giordano pleaded guilty to assault and battery with a dangerous weapon (victim over 60). He was sentenced to 4 years to 4 years and 1 day. Following Ms. Giordano's death, he was charged with second degree murder. Giordano pleaded guilty to second degree murder in Plymouth Superior Court on March 10, 2008.

Giordano admits that he had been arguing with his mother who frequently stayed in his home for long periods as they provided care and support for each other. After he began hitting and kicking her, she lost consciousness. He then reportedly became immediately concerned

that she was going to die and he called his local priest. He did not relay that he had beaten his mother. His mother lay unconscious for approximately six hours during which time Giordano attempted to administer first aid by blowing air into her through a straw and rubbing snow on her body. Giordano became increasingly concerned about her medical state and he called 911, which prompted immediate assistance from medical and emergency personnel. Ms. Giordano was then taken to the hospital.

Giordano was questioned by the police and he admitted to beating his mother and he described the argument that precipitated the beating. According to police reports, Giordano was upset that his mother would not return to her own home, as she had been in his home for several days. Although that was not uncommon, on this day he was angry with her. He stated that since she would not leave, he attempted to leave but she would not let him. During the course of the investigation, the priest who was called reported that Giordano said his mother was "possessed." Giordano also made some statements that he decided to call the police only after he ran out of the straws he was using to blow air into her lungs. Giordano was under the care of a psychiatrist and his ex-wife, Maureen Giordano, detailed his lengthy history of psychiatric issues.

After the beating, Marie Giordano was hospitalized in several facilities before residing in a nursing home. She never regained consciousness and remained in a persistent vegetative state as a result of a closed head injury. The injuries sustained from her beating were directly related to her death.

II. PAROLE HEARING ON MAY 13, 2014

Steven Giordano appeared for his initial parole hearing. He was represented by Attorney John Rull. Giordano was asked questions by the Board that matched his cognitive capacity, as he had difficulty answering detailed or abstract questions. His cognitive limitations were apparent from the outset of the hearing.

Giordano gave a very tearful opening that included the history of his relationship with his mother that, by all accounts, was close. Giordano was his mother's care taker, and in later years, when he developed a mental illness, she also became his caretaker. He described details of the relationship and extended periods of time they spent together, which at times could last for weeks. Giordano repeatedly apologized for what he had done to her and stated he is haunted by all of the reports that he read about "all the injuries to her body." He explained the argument that precipitated the beating; however, he was unsure why on that day he became so angry. Giordano described his mother as possibly having her own mental health issues and at times making him feel like she did not love him. He also described on that day feeling like his mother "was not my mother," and that he thought she was possessed in that moment. He provided a tangential picture of his thought process at the time, and was unclear as to whether he thought he was psychotic.

The Parole Board cited details from his psychiatric evaluations, including his competency to stand trial evaluation in an attempt to gain more insight into his mental functioning. Giordano was able to provide some detail as to when he "started to have symptoms," but had no understanding of his history of delusional thoughts. For example, his ex-wife relayed a story about him leaving the door open for long periods of time when no one was home so that any stranger could come in who may need a place to stay or something to eat. Giordano sees that act as being good to people who may need help. She also relayed incidents where he would take home "road kill" in order to try and help the animal recover.

The hearing also focused on his consistent work history and ability to form solid relationships with others until he started to suffer significant symptoms of mental illness around age 30. Giordano was able to recount his mental decline and experiences in and out of psychiatric hospitals. He admitted that he had the support of his family and his wife and her family, who all witnessed a drastic decline in his mental health. He acknowledged that he was not consistently compliant with his own treatment during those crucial stages of diagnosis and therapy. Giordano and his mother grew closer and more dependent on each other, which he recognized interfered with his relationship with his wife. Giordano stated that at times he thought his wife was "a demon and that he was receiving messages from the television, and that people were watching him." He is now able to view these specific experiences as symptoms of his mental illness. He and his wife divorced due to the mutual dependence in his relationship with his mother and his non-compliance with his mental health treatment. He also stated that he had met other women who also left him for similar reasons. He stopped taking his medications for several weeks before the murder.

Throughout the hearing, Giordano continued to make references to his mother and how upset he was that he hurt the person that meant the most to him. Giordano detailed his investment in rehabilitation and described the many programs that he has completed, which included violence reduction, education, and residential treatment programming for inmates with severe mental illness. His capacity to understand abstract concepts was limited, but the programming appeared to provide him with structure and the ability to talk to others about his remorse for the murder. Giordano continues to struggle with the GED test, but feels that a GED would provide him with better employment opportunities if he were to be released. He stated "I want to be a productive human being" and highlighted 23 years of employment, having retired from the MBTA with a pension. He denied any history of alcohol or drug abuse and has had no disciplinary issues within the institution. Giordano also repeatedly stated that he is committed to compliance with mental health treatment and has been stable on his medications throughout his incarceration. He denied any history of prior violence, and there is no information that he has other acts of violence. In fact, his family and supporters spoke to the contrary, describing Giordano as a gentle, kind, and extremely generous person, even after he became symptomatic with his mental illness.

Giordano proposed a parole plan that included going to a residential treatment program and then to his own residence with outpatient services. The Parole Board expressed concern that the residential treatment facilities he has explored are geared toward people with addictions and that he has required significant specialized mental health treatment within a structured environment, thus his parole plans may not be realistic in his pursuit for continued stability and success. Giordano responded as being open to any suggestions but emphasized that he is financially secure and able to afford his own home.

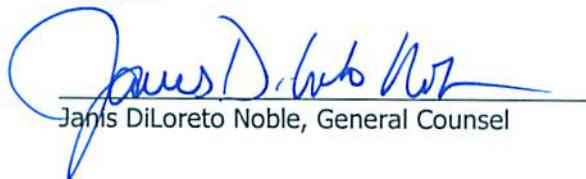
There were several people present in support of his parole. His ex-wife, Maureen Giordano, detailed Giordano's profound decline due to mental illness. She and her family have remained supportive prior to and during his incarceration, and are committed to assisting him on parole. Maureen Giordano has been appointed to manage his estate and reported that she is willing to do so if he is released. In addition, her two brothers and father also spoke in support of Giordano's release and will assist in any way they can. All of his supporters provided a consistent description of a man with solid character, kindness, work ethic, and generosity. They described how Giordano affected their lives and, but for a serious mental illness, he would never have committed the act that he did. In addition, all testified that Giordano was loving toward his mother and they were shocked to hear that he had hurt her.

There was no one present in opposition of Giordano's release. There were no written submissions in opposition to Giordano's release.

III. DECISION

After reviewing all information relevant to Giordano's release, including his mental health history, evaluations, and testimony that described his past and current mental status, the Parole Board needs specific recommendations from mental health professionals concerning his current needs and available services. The standard for parole is set out in 120 C.M.R. 300.04, which provides that "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such an 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." The Parole Board concludes that, in order to meet this standard, Giordano needs a specific release plan that incorporates services to treat his mental health needs. Due to Giordano's profound functional limitations, which coincide with his need for more support and structure, the Parole Board is seeking an assessment from the Department of Mental Health prior to making a decision regarding his suitability for parole.

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.


Janis DiLoreto Noble, General Counsel

7/31/14
Date