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Gloriann Moroney
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IN THE MATTER OF

STEVEN JOANIS

PETITION FOR PARDON

REPORT AND RECOMMENDATION

YOUR EXCELLENCY:

The Advisory Board of Pardons (hereinafter "the Board") respectfully submits this report and recommendation concerning the pardon petition of Steven Joanis. Mr. Joanis was convicted of Assault and Battery by Means of a Dangerous Weapon and Armed Assault in a Dwelling on September 7, 1990 in Milford District Court, and sentenced to a six-month house of correction sentence, suspended for one year of probation.

On or about January 2, 2015, Mr. Joanis submitted a petition for a pardon. (*Attachment A*). In 2016, Mr. Joanis submitted supplemental materials in support of his petition for a pardon. (*Attachment B*). Prior to a hearing being held, Attorney Patty DeJuneas submitted a Memorandum in Support of Petition for Pardon on behalf of Mr. Joanis. (*Attachment C*). On April 25, 2022, the Board conducted a public hearing regarding Mr. Joanis' petition. In his petition and at the public hearing, Mr. Joanis requested a pardon for his convictions so that so that he may have access to employment and volunteer opportunities that require a CORI check.

After due consideration, the Board voted unanimously to recommend favorable consideration of Mr. Joanis' request for a pardon. The reasons for the Board's recommendations are set forth in the body of this opinion.

PROCEDURAL HISTORY

On April 6, 1990, Mr. Joanis was arrested by the Milford Police Department, and on April 9, 1990 he was arraigned in Milford District Court, Docket Number 9066CR0910.¹ (*Attachment D*). He pleaded guilty to one count of Assault and Battery by Means of a Dangerous Weapon and one count of Armed Assault in a Dwelling on September 10, 1990.² He was sentenced to a six-month house of correction sentence, suspended for one year of probation. Mr. Joanis completed his probation without issue, and his probation was terminated on September 10, 1991. (*Attachment E*, page 2). Mr. Joanis subsequently sealed his Massachusetts record.

STATEMENT OF THE CASE

According to the application for criminal complaint, Mr. Joanis went to the home of the victim, armed with a .22 caliber rifle, for the purpose of making a threat. (*Attachment D*). There is no arrest report or incident report regarding this incident on record with the Milford Police Department.

Mr. Joanis has stated the following about the incident: "A girl I was dating was tormented by a rapist. I tried to scare him into leaving her alone by playing tough guy. He wasn't scared of me or my unloaded weapon. He held me at gunpoint until the police arrived and arrested me."

PRIOR CRIMINAL RECORD

¹ Mr. Joanis has stated that the date of the offense was April 9, 1990. The court documents list the date of offense as April 6, 1990 and the date of arraignment as April 9, 1990.

² One count of Carrying a Firearm without a License was dismissed at the request of the complainant and with consent of the defendant. At his pardon hearing, Mr. Joanis reported having a valid Firearms Identification Card at the time of the offenses.

According to the Massachusetts Board of Probation record and the National Crime Information Center (NCIC) record, both dated September 22, 2021, the entries for which Mr. Joanis seeks pardon (and the associated dismissed charge) are the only entries on his record. (*Attachment F*).

PARDON PETITION OF STEVEN JOANIS

As previously indicated, Steven Joanis submitted a petition for executive clemency, in the form of a pardon, for convictions for Assault and Battery by Means of a Dangerous Weapon and Armed Assault in a Dwelling from September 1990. In his petition, Mr. Joanis reported the following about the effect the convictions have had on his life: “As my children get older, this label will continue to damage new chapters of my life. I will be prevented from taking part in the public life of my children to the extent that would otherwise be possible. With this label, I avoid volunteering with my kids in civic and religious functions for fear of exposing my label.” In his petition, Mr. Joanis took responsibility for his offenses and reported that since that time he has received an education and learned to serve others in a number of ways, including as a volunteer search and rescue pilot, a volunteer at My Brother’s Keeper, by donating to the church, and by volunteering for the Knights of Columbus. In an attached letter, Mr. Joanis added that he was denied entry to the Air Force because of his convictions. He described the offenses as a mistake made out of ignorance as a seventeen-year-old, in an attempt to protect his girlfriend.

In his supplemental petition, Mr. Joanis also expressed concern that his convictions could interfere with renewing his teaching certificate. He also explained that CORI checks by clients are becoming increasingly common, affecting his ability to fully serve his employer. He reiterated his concerns about volunteering at civic and religious functions. He reported involvement with My Brother’s Keeper, Holy Cross Retreat House in Easton, Espousal

Retreat Center in Waltham, Knights of Columbus, Civil Air Patrol, and Maples Rehabilitation and Nursing in Wrentham. He reported donating over 10% of his income to charity and allowing the Handmaids of the Immaculate religious order to occupy one of his properties rent-free.

2022 INTERVIEW OF STEVEN JOANIS

At the request of the Advisory Board of Pardons, Mr. Joanis consented to an interview concerning his petition. (*Attachment G*). The interview took place on April 15, 2021.

During the interview Mr. Joanis reported that he was seventeen years old at the time of the offenses. He provided the following version of events: His girlfriend came home and informed him that she had been raped and kidnapped. Mr. Joanis armed himself with a friend's .22 caliber rifle and went to the home of the alleged perpetrator. The rifle was not loaded, but he did have a single round in his pocket. The male party emerged from the apartment with a handgun and Mr. Joanis pulled out the rifle. A struggle ensued. No shots were fired. He was arrested by the police at the scene. These events occurred on the inner landing of the man's apartment, but he never entered the apartment.

During his interview, Mr. Joanis reported that he lives in Franklin with his wife, and they have four children. He reported having earned Associate's Degree and Bachelor's Degrees from Wentworth and an MBA from Babson. He is employed at ENE Systems in Canton, where he is the Director of Engineering. He stated that he has also worked as a professor at the Peterson School and Roxbury Community College. He reported volunteering at a nursing home and being associated with a number of social clubs and groups, including the Civil Air Patrol, Knights of Columbus, Bellingham Historical Commission, My Brother's Keeper, and the Diocese of St. Brendan's. Mr. Joanis has a hunting license, which he stated is for bow hunting. He denies ever hunting with a firearm or rifle.

PROCEEDINGS BEFORE THE ADVISORY BOARD

On April 25, 2022, the Advisory Board of Pardons held a public hearing on Steven Joanis' pardon petition. The hearing was chaired by Gloriann Moroney. Advisory Board of Pardon Members Charlene Bonner, Sheila Dupre³, and Tina Hurley were present at the hearing. Board Members Tonomey Coleman and Colette Santa were not present for the hearing but reviewed the record and participated in deliberations. Mr. Joanis was represented by Attorney Patty DeJuneas.

THE BOARD'S INQUIRY

SOCIAL HISTORY

Upon inquiry by the Board, Mr. Joanis provided information concerning his social history. Mr. Joanis was left at the hospital by his biological mother, and raised by a foster mother who was a distant relative. His biological father was in prison at the time of his birth. His foster mother's two adopted sons were the only male influences in his life. They were in and out of prison and always getting into trouble. When one of them was killed, Mr. Joanis tried to step into the "tough guy" role in the family at age fourteen. Although his friends were getting into trouble, Mr. Joanis was terrified of going to prison and stayed out of trouble following the governing offense. He denied ever having any substance abuse issues.

Mr. Joanis met his wife when he was eighteen, and they have been married for nearly thirty years. They have four children, three who are grown and a fourteen-year-old son who lives with them at their home in Franklin. Mr. Joanis has a high school diploma, Bachelor's Degree from Wentworth, and Master's Degree from Babson. He has been employed by ENE Systems in Canton for twenty-six years, and currently serves as their Director of Engineering. He has been employed as a teacher at the Peterson Trade School from 2008-2021 and intermittently at Roxbury Community College since 2020.

³ Board Member Dupre participated in the hearing and vote for Mr. Joanis' pardon petition but was no longer a Board Member at the time this Report and Recommendation issued.

Mr. Joanis has served as a member of the Civil Air Patrol since 2003, and was an active pilot until 2010. In that capacity, he flew search and rescue missions and assisted with disaster relief. He also acts as a volunteer board member of the Bellingham Historical Commission. Mr. Joanis and his family volunteer at My Brother's Keeper, bringing food and furniture to those in need, and at a religious retreat at Stonehill College. He serves as a lector and pre-cana counselor at his church, brings mass and communion to the residents of the nursing home where his foster mother lived before her death, and is an active member of the Knights of Columbus.

GOVERNING OFFENSE

The Board inquired about the offenses for which Mr. Joanis seeks a pardon. Mr. Joanis stated that he was seventeen years old at the time of his conviction. His girlfriend at the time had been allegedly held for several days and sexually assaulted. She was experiencing trauma as a result of this attack. Mr. Joanis learned that the assailant had begun trying to contact her again. He decided to confront this individual.

Mr. Joanis armed himself with a .22 caliber rifle that he borrowed from a friend. He went to the apartment of the alleged assailant, where the alleged assailant and another man came into the hallway to confront Mr. Joanis. One of the men pointed a handgun at Mr. Joanis. In response, he dropped the paper bag he had covering his own weapon and brandished it. He does not recall if he pointed the weapon at the men, but it was his intention to do so. The second man pushed Mr. Joanis against a wall and the two men held him there at gunpoint until police arrived and arrested him. He had one bullet in his pocket when he was arrested. Although he is not entirely certain, he believes he may have cleared it from the weapon before approaching the apartment. He did not bring any other ammunition with him.

Mr. Joanis pleaded guilty to two offenses and was given a suspended sentence. He completed his probation without incident.

VICTIM IMPACT

No victim impact statements were provided to the Board.

PRIOR CRIMINAL HISTORY

The Board noted that, aside from the governing offenses, Mr. Joanis' criminal history does not reflect any other arraignments or convictions in Massachusetts or any other states.⁴

COMPELLING NEED FOR A PARDON

The Board made inquiries concerning Mr. Joanis' compelling need for a pardon. Mr. Joanis reported that when he was younger, he was turned away by an Air Force recruiter because of his felony conviction. Although he has been successful in his career, he has avoided work on projects where a CORI check is required, including projects in prisons, insurance companies, or banks. He reported that this background check requirement has become more common recently. He believes that he could have been more successful in his career, and perhaps could have taken a higher-ranking job, if he did not have the conviction. His current boss is understanding, but Mr. Joanis has avoided applying for other opportunities and is concerned about what could happen if his boss retired. He has also avoided running for political office, despite an interest in doing so.

Mr. Joanis reported during his hearing that he has avoided volunteering to coach youth sports and chaperone school events because he knows that these activities would require a CORI check. He would like to be more involved with school programs when his youngest son begins high school next year. He is also concerned that his teaching certification could be in jeopardy in the future because the renewal of the certification is based on a subjective standard. In 2019,

⁴ The Board questioned Mr. Joanis about an incident where police responded to his home for a noise complaint approximately twenty years ago. He reported that he was yelling across the house to his five-year-old son who had made a mess in a bathroom. There was no subsequent police investigation or criminal action relating to this call.

a grandmother at his church asked Mr. Joanis and his wife to foster her grandchild. Their application to foster the child was denied due to his felony conviction. (*Attachment E*, page 1).

Finally, the Board inquired if Mr. Joanis had an interest in obtaining authorization to possess a firearm. He stated that he participates in historical reenactments which often involve the use of firearms, so he would like the opportunity to lawfully possess a firearm to that end. However, he reported that he would not pursue a license to carry a firearm if it would jeopardize his chances at a pardon.

SUPPORT

TESTIMONY

Jim Orcutt

Jim Orcutt, founder of My Brother's Keeper, testified that he met Mr. Joanis in 2011 when Mr. Joanis and his wife attended a Christian retreat at Stonehill College. Since that time, Mr. Joanis and his family have volunteered for the organization, bringing food and furniture to individuals in need. Mr. Orcutt described Mr. Joanis' service as "heartfelt" and "exemplary." He expressed concern that the organization recently began requiring CORI checks and that Mr. Joanis might not have been permitted to volunteer at the organization if he started now.

Gaurav Rohatgi

Mr. Rohatgi read his letter of support that was previously submitted with Mr. Joanis' petition for a pardon. This letter is summarized below.

Randall Wilhite

Mr. Wilhite testified that he was Mr. Joanis' squadron commander in the Civil Air Patrol. He described Mr. Joanis' work doing search and rescue missions and disaster relief. He reported that Mr. Joanis was quickly promoted and easily met the stringent standards set

for the Air Force-owned planes. Mr. Wilhite expressed great trust in Mr. Joanis in any capacity.

Dennis Tague

Mr. Tague, Mr. Joanis' supervisor at ENE Systems, testified that he has known Mr. Joanis for twenty-six years. He reported that Mr. Joanis demonstrates great character, strength, honesty, and integrity through his work and in his professional relationships. He discussed the many students of Mr. Joanis who have been successful in their careers as a result of his guidance.

David Mullen

Father Mullen testified that he has known the Joanis family for the twenty-six years that they have been a part of Saint Brendan's parish. He described Mr. Joanis as dependable, generous with his time, and committed to his children.

LETTERS

The Board received six letters of recommendation in support of Mr. Joanis' petition in advance of his hearing. (*Attachment H*).

Faustina Olson

Sister Faustina Olson of the Franciscan Handmaids of the Immaculate, Saint Brendan's Parish, submitted a letter dated April 3, 2022 in support of Mr. Joanis' petition for a pardon. She stated that she has known Mr. Joanis and his family for twelve years. She reported that Mr. Joanis has an "upright moral character" and participates in a number of parish volunteer programs. She described him as reliable, trustworthy, honest, and dedicated.

Bronya Joanis

Bronya Joanis, Mr. Joanis' wife, submitted an undated letter in support of his petition for a pardon. She described him as a "wonderful, supportive husband and a strong, gentle and caring father." Mrs. Joanis stated that her husband is not only law abiding, but a model citizen, as demonstrated through his leadership at home and through a number of outreach activities in the community, including their parish and local historic commission. She reported that they give at least 10% of their income to charity, and allow the church to use one of their residential properties for free.

David Cunis

David Cunis, a prosecutor and acquaintance of Mr. Joanis, submitted an undated letter in support of Mr. Joanis' petition for a pardon. Mr. Cunis reported that he has known Mr. Joanis for several years since their sons attended school together. He described Mr. Joanis as a "wonderful, hard-working family man with a wife and four accomplished children." He explained that Mr. Joanis has expressed great shame and remorse about his offenses and that he believes Mr. Joanis is a different man now than he was at age seventeen.

David Joanis

David Joanis, Seminarian and son of Mr. Joanis, submitted a letter dated April 5, 2022 in support of his father's petition for a pardon. He described his father as "a reliable friend, a virtuous leader, and a great man." David stated that his father constantly has charity and service at the forefront of his mind and described him as a person willing to contribute anything to those in need. He described a loving family environment and reported that Mr. Joanis' marriage is "characterized by respect, genuine care, and quick reconciliation."

Karna Antonitis

Karna Antonitis submitted a letter dated March 31, 2022 in support of Mr. Joanis' petition for a pardon that described his volunteer work at a nursing and rehabilitation center. Mr. Joanis has continued to volunteer at the center since his mother's death there in 2011. During the pandemic, he brought DVDs of mass and communion to the residents of the center each week.

Gaurav Rohatgi

Gaurav Rohatgi, a fellow Knights of Columbus member, submitted an undated letter in support of Mr. Joanis' petition for a pardon. Mr. Rohatgi reported knowing Mr. Joanis for thirteen years. Mr. Rohatgi described Mr. Joanis as a responsible and engaged father, and reported that he chose Mr. Joanis to serve as Godfather to his youngest daughter. He reported relying on Mr. Joanis for accountability in his own life.

The Board also reviewed five letters of recommendation that were previously submitted in support of Mr. Joanis' pardon petition. (*Attachment A*, pages 14-15; *Attachment B*, pages 17-23):

Dennis Tague

Dennis Tague, the Director of Operations of ENE Systems, Inc., a friend and employer of Mr. Joanis, submitted a letter dated February 16, 2016, in support of Mr. Joanis' petition for a pardon. Mr. Tague stated that he has known Mr. Joanis personally and professionally for twenty years and that Mr. Joanis' actions during this time have been "beyond reproach." Mr. Tague asserted that Mr. Joanis would be able to participate in more work projects if he could pass CORI checks. He described Mr. Joanis as "one of the finest, most upstanding people I have ever met."

David Mullen

Father David Mullen, Pastor of Saint Brendan's Parish in Bellingham submitted a letter dated January 30, 2015 in support of Mr. Joanis' petition for a pardon. Father Mullen stated that he has known Mr. Joanis and his family for eighteen years. Father Mullen reported that Mr. Joanis contributes to his community by conducting prayer service at a nursing home, serving meals at retreats, and delivering meals and furniture for a shelter. He described Mr. Joanis as dependable and his children as respectful.

Randall Wilhite

Randall Wilhite, a Squadron Commander of the Civil Air Patrol, submitted two letters dated March 30, 2015 and December 10, 2015 in support of Mr. Joanis' petition for a pardon. Mr. Wilhite reported that Mr. Joanis, who he has known since 2003, "takes volunteerism and civic duty seriously" and volunteers for any number of tasks. He further stated that Mr. Joanis "has a reputation as an honest and straightforward businessperson."

My Brother's Keeper

Erich Miller, President of My Brother's Keeper, and Jim and Terry Orcutt, Co-Founders of My Brother's Keeper, jointly submitted a letter dated March 4, 2016 in support of Mr. Joanis' petition for a pardon. These individuals stated that they have known Mr. Joanis for five years. They described Mr. Joanis as devoted to his volunteer work, making furniture and food deliveries to families in need. They reported that Mr. Joanis often volunteers alongside his family members and has led retreats.

OPPOSITION

TESTIMONY

No individuals testified in opposition to Mr. Joanis' petition.

LETTERS

No letters were submitted in opposition to Mr. Joanis' petition.

OPINION OF THE ADVISORY BOARD

FAVORABLE RECOMMENDATION

After careful review and consideration, it is the opinion of 6 of the 6 voting members of the Advisory Board of Pardons that a favorable recommendation for a pardon be sent to the Governor on behalf of Steven Joanis.

Governor Charles D. Baker's Executive Clemency Guidelines, issued on February 21, 2020 ("Guidelines"), establish the grounds upon which a pardon may be granted and provide assistance to the Advisory Board of Pardons in making recommendations to the Governor on clemency petitions. The Guidelines state that a pardon is "an extraordinary remedy which has the effect of treating the petitioner as if the offense had never been committed." The Guidelines further provide that "[pardons are] intended to remove the barriers that are sometimes associated with a criminal record, thereby facilitating the reintegration of the petitioner into his or her community." The Guidelines state that the nature and circumstances of the offense and the character and behavior of the petitioner are the two "paramount considerations in deciding whether to grant clemency."

Under the Governor's Guidelines, a person who petitions for a pardon bears the responsibility of demonstrating, by clear and convincing evidence, that:

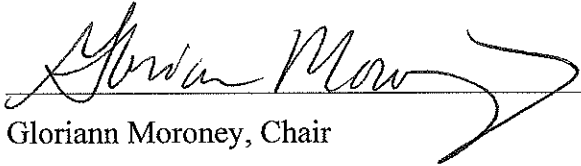
- (a) The petitioner has clearly demonstrated an acceptance of responsibility for the offense for which the petitioner is seeking clemency;
- (b) the petitioner does not have any pending appeals or challenges to a conviction or sentence;
- (c) the petitioner has made full restitution to his or her victims, in the event of economic injury;
- (d) the petitioner has made exceptional strides in self-development and self-improvement

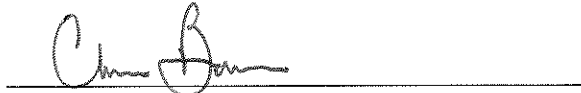
and would be a law-abiding citizen;the petitioner has provided substantial assistance to law enforcement in the investigation or prosecution of other more culpable offenders;

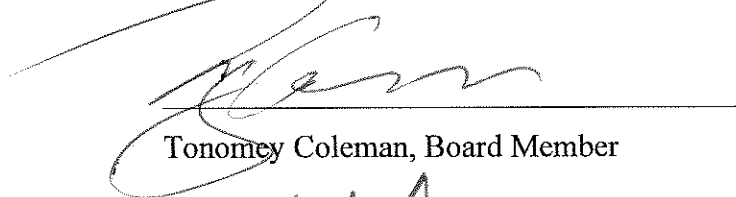
- (e) the petitioner has contributed to society through the military or public service, or through charitable work;
- (f) the petitioner has demonstrated a period of good citizenship by "leading a responsible and productive life and contributing to [his or her] community in a positive manner" for more than ten years following a felony conviction, "without the structure provided by government supervision," such as probation or parole;
- (g) there is no alternative remedy available to the petitioner.

The petitioner is seeking a pardon for a conviction of Assault and Battery by Means of a Dangerous Weapon and Armed Assault in a Dwelling, from September of 1990. He was sentenced to a six-month house of correction sentence that was suspended for one year of probation. His probation was successfully completed. The Board notes that the offenses were committed when Mr. Joanis was seventeen years old. He has taken full responsibility for his actions, which he informed the Board were the result of a bad choice he made in an attempt to protect his girlfriend from an alleged assailant. Since that time, Mr. Joanis has earned a high school diploma, a Bachelor's degree, and an MBA. Mr. Joanis has been married for thirty years and is a father to four children. He has worked consistently in the service of others over several decades, including charitable work with his church, civil air patrol, and search and rescue missions as a disaster relief pilot. Although he has been denied certain volunteer opportunities due to his conviction, he has taken advantage of numerous opportunities to serve his community. He has been employed by ENE Systems for twenty-six years, and serves as their Director of Engineering. Mr. Joanis and his employer have both asserted that he would be able to further advance in the company and serve more clients if he were to receive a pardon. Therefore, the Board recommends that a pardon be granted.


For the six members of the Advisory Board of Pardons respectfully recommending favorable consideration, signed on this the 15th of August, 2022:


Gloriann Moroney, Chair


Charlene Bonner, Board Member


Tonomey Coleman, Board Member


Tina Hurley, Board Member


Colette Santa, Board Member