

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

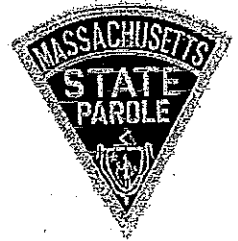
Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Terrence M. Reidy
Secretary

Telephone # (508) 650-4500

Facsimile # (508) 650-4599



Tina M. Hurley
Chair

Daniel Nakamoto
Acting Executive Director

AMENDED RECORD OF DECISION

IN THE MATTER OF

WILLIAM COX

W89149

TYPE OF HEARING: Review Hearing

DATE OF HEARING: January 26, 2023

DATE OF DECISION: June 16, 2023

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

STATEMENT OF THE CASE: On January 30, 2007, after a jury trial in Franklin County Superior Court, William Cox was convicted of second-degree murder in the death of 48-year-old Donald Field and was sentenced to life in prison with the possibility of parole.

Mr. Cox appeared before the Parole Board for a review hearing on January 26, 2023. He was represented by Attorney Rosemary Scapicchio. Mr. Cox declined to appear at his 2018 initial hearing and was denied parole. The entire video recording of Mr. Cox's January 26, 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 by unanimous vote that the inmate is a suitable candidate for parole.

The Board is of the opinion that William Cox has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Reserve on or after 90 days from the issuance of the Record of Decision to Department of Developmental Services (DDS). The Board considered the recommendation to DDS by Mr. Cox's attorney, Rosemary Scapicchio, as well as experts Sarah Coughlin LICSW and Dr. Frank DiCataldo. Mr. Cox has a well-

documented history of cognitive deficits and was a prior DDS client for 10 years. He currently has a medical guardian within the DOC and the Board will require Mr. Cox to petition for a medical guardianship upon release. Due to subject's severe cognitive limitations, he is not benefiting from rehabilitative programming. The Board accepts Dr. DiCataldo's opinion that the markers of rehabilitation may not be valid in this case due to the subject's low IQ. The Board is of the opinion that DDS is the best suited place for Mr. Cox. The Board reviewed the risk assessment conducted by Dr. DiCataldo and, based on his expertise in conjunction with subject's disabilities, is of the opinion that it is a reliable assessment. The Board also shares the concern by Dr. DiCataldo that subject is at higher risk for victimization and exploitation within the penal setting.

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. Cox'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. Cox's risk of recidivism. After applying this standard to the circumstances of Mr. Cox's case, the Board is of the unanimous opinion that William Cox is rehabilitated and, therefore, merits parole at this time. Reserve is granted to a Department of Developmental Services residential program subject to District Attorney Clearance and special conditions.

Special Conditions: Reserve on or after 90 days from the issuance of the Record of Decision to Department of Developmental Services (DDS) residential program, but only after District Attorney Clearance; Waive work for disability; Curfew – Must be at home between 10pm and 6am; ELMO-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; Apply for medical guardianship; Comply with all DDS requirements.

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

6/16/23
Date