

## Waivers and Postponements

- An inmate may waive the initial parole release hearing or any review hearing. The Parole Board shall not consider parole release for any inmate who waives the initial review hearing. If a lifer waives his/her hearing, the next hearing will be scheduled in five years.
- Upon request by an inmate, the Massachusetts Parole Board may grant a postponement of an initial parole release hearing or review hearing.

### Standard for Decision-making

- According to Massachusetts General Laws [M.G.L. c. 127 § 130]  
"No prisoner shall be granted a parole permit merely as a reward for good conduct but only if the Parole Board is of the opinion that there is a reasonable probability that, if such prisoner is released, he will live and remain at liberty without violating the law, and that his release is not incompatible with the welfare of society."

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# Massachusetts Parole Board



## Parole Hearing Process Overview

For Offenders Serving  
Second-Degree  
Life Sentences

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This brochure is designed for inmates serving second-degree life sentences who are eligible for parole.

In the Commonwealth of Massachusetts, adult inmates sentenced to second degree life in prison are eligible for parole after they have served 15 years of their sentence. Such inmates are granted an initial hearing in front of the full compliment of the Massachusetts Parole Board to determine whether or not their release would best serve the interests of public safety and be compatible with the welfare of society.

If the Parole Board denies parole after the initial hearing, the inmate will be provided with a subsequent review hearing of a maximum of five years or earlier, at the discretion of the Parole Board.

The guidelines and requirements for this hearing process are set forth in Massachusetts General Laws [ M.G.L. c. 27 § 5]

The Lifer Unit is located in Natick, Massachusetts and handles case preparation for all second-degree lifers. Additionally, every state institution has an Institutional Parole Officer to assist with parole inquiries.

### *Parole Eligibility Guidelines:*

- Second-degree Lifers are eligible for parole 15 years from the sentence effective date.  
—M.G.L. c. 265 § 2  
—M.G.L. c. 127 § 133A
- Additional sentences ordered to run consecutive to second-degree life sentence may require the aggregation of the terms and may create a single eligibility of more than 15 years.

### *What to expect prior to the Initial Hearing:*

- Prior to the hearing, the Lifer Unit staff will interview the inmate and create a summary report for the Board. The report will include: the official version of the crime, the inmate's version, criminal history, medical issues, mental health issues, substance abuse issues, institutional adjustment, institutional programming, parole plans, hearing support and opposition.
- Documentation presented by the inmate will be collected at the time of this interview.
- The Parole Board is required to notify the following offices of the upcoming hearing: the Attorney General, the District Attorney's Office in the district where the crime was committed, the Police Chief of the city or town where the crime was committed, the victim(s), and their family members.

- The inmate has the right to counsel and to present witnesses to testify in support of parole.

### *What to know about the hearing process:*

- By law, the hearing is open to the public.
- The hearing is audiotaped and videotaped.
- At the initial hearing, the full Board will conduct the hearing unless the inmate waives his or her right to a full Board compliment.
- At the hearing, the Board will hear testimony from those who are in favor of parole and from those who oppose it.
- Parole decisions are rendered by the full Board only after members have met in Executive Session. The Parole Board's Record of Decision will follow.
- Absent Board members may review the recording of the hearing and vote on the case.
- In the case of a denial vote, any setback period will run from the date of the previous hearing.
- Review hearings can be conducted by less than the full Board but must be conducted by at least the majority of the Board. Absent Board members will review the record prior to voting in executive session.