



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Kevin M. Burke
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



Mark A. Conrad
Acting Chairman

Donald V. Giancioppo
Executive Director

RECORD OF DECISION

In The Matter of

DOMINIC CINELLI
W-35418

TYPE OF HEARING: Review Hearing

DATE OF HEARING: November 6, 2008

DATE OF DECISION: November 18, 2008

PARTICIPATING BOARD MEMBERS: Mark Conrad, Doris Dottridge, Candace Kochin, Pamela Lombardini, Thomas F. Merigan, Jr., Leticia Munoz

DECISION OF THE BOARD: Res[erve on or after] 2-16-09 to LTRP [Long Term Residential Program].

Dominic Cinelli appeared before the Massachusetts Parole Board for a review hearing on November 6, 2008. Since March 1976, Mr. Cinelli has been serving multiple sentences, including 3 concurrent life sentences, following his convictions in Suffolk and Middlesex Superior Courts on several counts of armed and unarmed robbery, habitual offender, unlawful possession of a firearm, assault and battery by means of a dangerous weapon, assault with intent to commit murder, and escape.

Mr. Cinelli challenged the aggregation of his sentences that had given him an initial aggregate parole eligibility date in August 2008. On July 5, 2005, the Appeals Court ruled in his favor and ordered the Board to schedule him immediately for a hearing.

Following the hearing, on November 29, 2005, the Board voted to deny parole and set a 3 year review date. The Board noted that Mr. Cinelli is a habitual criminal who had only recent improvement after years of poor adjustment. The Board took note of his substance abuse history, and stated that he was in need of a long period of positive adjustment and programming that adequately addresses the causative factors of his criminal behavior.

Mr. Cinelli has an extensive history of substance abuse. He began to use marijuana and barbiturates in grade school. At the age of 15 he was using heroin daily. Much of Mr. Cinelli's criminal activity has been motivated to support his drug addiction. A similar motivation was behind much of his negative institutional behavior. Most of the disciplinary reports he accrued concerned substance abuse.

Mr. Cinelli appears to have taken seriously the Board's admonitions following his last hearing that he needed a long period of positive adjustment and participation in programming to address the causative *factors* of his criminal behavior. Overall, Mr. Cinelli has been proactive in addressing the Board's previous concerns, and has exhibited a strong motivation to achieve his rehabilitative goals. He appears committed to conducting his life in a positive manner. He has not accrued any disciplinary reports or returns to higher custody since 1999. Moreover, his proactive participation in programs aimed at reducing his risk to recidivate is viewed positively by the Board. He shows an extreme dedication to substance abuse treatment.

Mr. Cinelli recently completed all 3 phases of Alternatives to Violence. He also participates in church services as a lector and Toast Masters. He presently attends 12 Steps and Saturday NA Discussion. He has attended substance abuse programs regularly since 2000. He completed the Correctional Recovery Academy in March 2000, and Rational Recovery in December 2002. He also has taken several measures to enhance his education and skills. He has completed his GED, Microsoft 1997, Power Technology, Problem Solving, AIDS Awareness, the 16 week Sign Posts Group, and Transitional Planning.

Mr. Cinelli has strong family support, and has a solid transition plan. Family members attended his hearing and spoke about the support they would provide him upon his release.

Accordingly, the Board is of the opinion that Mr. Cinelli's release to community supervision at this time is not incompatible with the welfare of society. The Board votes reserve to a LTRP [Long-Term Residential Program] on or after 2/16/2009.

Special conditions:

Waive work for program. Supervise for drugs; testing required. Supervise for liquor abstinence; testing required. Report to assigned Massachusetts Parole Office on day of release. No contact with victims' family. Long Term Residential Treatment Program must complete (6 months). Alcoholics Anonymous at least 3 times per week. Narcotics Anonymous at least 3 times per week. Mandatory sponsor.

Board Member 1: Concur.
Board Member 2: Concur.
Board Member 3: Concur.
Board Member 4: Concur.
Board Member 5: Concur.
Board Member 6: Concur.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.



Executive Director

1/27/09

Date