



The Commonwealth of Massachusetts  
Executive Office of Public Safety



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**RICARDO BACIGALUPO**

**W61248**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** October 1, 2013

**DATE OF DECISION:** November 1, 2013

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, 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 testimony of the inmate at the hearing, the views of the public as expressed at the hearing or in written submissions to the Board, we conclude by a unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in five years.

**I. STATEMENT OF THE CASE**

On September 11, 1996, following a jury trial in the Hampden Superior Court, Bacigalupo was convicted of the second-degree murder of 82-year-old Charles Glenney and sentenced to serve life in prison. The Massachusetts Appeals Court upheld the conviction in 2000. *Commonwealth v. Bacigalupo*, 49 Mass. App. Ct. 629 (2000). The following facts are culled from the Appeals Court's opinion.

On November 27, 1995, Mr. Glenney was found on the floor of his home in Springfield, brutally beaten but still alive. He was rushed to a hospital where he died seven days later from blunt trauma injuries to his head and neck.

Prior to the murder, Bacigalupo had rented a room on the second floor of Mr. Glenney's home. On the morning of murder, Mr. Glenney and Bacigalupo went to the Hampden Savings Bank where they cashed a check payable to Bacigalupo in the amount of \$800.00. A short time

mornings began with Bacigalupo going to Mr. Glenney's apartment for coffee. Bacigalupo worked as a waiter during the day, and for a few months worked at night at a seedy bar known as both the Red Lion and the Players Club. He got caught stealing from the bar. Bacigalupo said that the owners of the bar were selling drugs and guns, and that he stole money from those proceeds. He said he stole "at least \$4,000."

The facts of the murder will likely never be known because of Bacigalupo's persistent dishonesty. A common sense view of the facts makes it most likely that Bacigalupo murdered Mr. Glenney in order to rob him or because the victim caught him stealing. Mr. Glenney kept reasonably large sums of cash in the apartment and his apartment contained an extensive collection of antiques. Bacigalupo denies any theft or robbery. At trial, Bacigalupo testified and tried to convince the jury that two unknown Jamaican man committed the murder. At his first parole hearing, Bacigalupo tried to convince the Board that he became angry because the victim took money from him. At this hearing, Bacigalupo tried to convince the Board that the murder resulted from the complications of a sexual relationship initiated and maintained by the elderly victim. Bacigalupo's three versions, all unsupported by any evidence and in conflict with common sense, have created so much uncertainty and confusion that the truth may never be known with any degree of certainty.

At this hearing, Bacigalupo made the following assertions: the elderly victim asked him if he could touch him sexually; Bacigalupo agreed and sexual touching occurred about one dozen times; Bacigalupo received nothing for the accommodation but did it because the victim was lonely; a touching incident took place on the morning of the murder, after which Bacigalupo told the victim that he was returning to Puerto Rico; the victim became angry and said that he would tell Bacigalupo's brother and aunt about the sexual activity; Bacigalupo was caught "off guard" at the threat and killed the victim but it was "not like I was in a rage." Despite extensive injury to the victim's head and blood around the room, Bacigalupo denied hitting the victim and said he only grabbed the belt and held it around the victim's neck. Based on the evidence, Board Members did not believe this new account and saw it as another episode in Bacigalupo's long history of lying. When Board Members pointed out that Bacigalupo's new version conflicts with his prior statements, with other evidence, and with common sense, he was defiant and accusatory. He showed no recognition how he has complicated the parole decision by his lifelong history of lying combined with his multiple lies about the murder through the years.

Bacigalupo's prevarications are all the more perplexing because of his accomplishments in prison. He has nine disciplinary reports, and he has excelled in vocational pursuits by obtaining a barber's license, a welding license, and working many hours as an electrician's apprentice doing electrical work in the institution. He has devoted time to vocational improvement, but acknowledged that he has not addressed other areas of rehabilitation. He admitted that he has not worked on his anger and violence, and he gave no indication that he has recognized or addressed issues of dishonesty and lack of empathy.

There were no supporters of parole present. Hampden Assistant District Attorney Dianne Dillon spoke in opposition to parole.

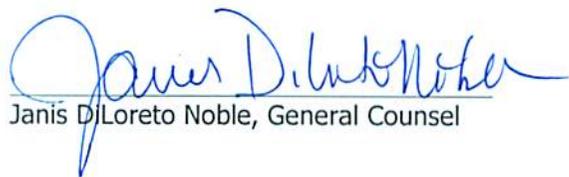
### III. DECISION

Ricardo Bacigalupo brutally murdered an 82-year-old man who had befriended him and treated him well. The evidence supports a conclusion that the motive was robbery or covering up theft. Rather than revealing the truth, Bacigalupo has told a series of conflicting and unresolvable lies that have involved mysterious Jamaicans, theft by the elderly victim, and sexual activity. Of particular concern is that each version of the story heaps a greater dose of false blame on the elderly and innocent victim. By combining extraordinary violence with extraordinary lying, Bacigalupo has established he is not rehabilitated. He has also complicated the path to rehabilitation. Bacigalupo has not recognized or addressed his deep-seated issues related to anger, violence, dishonesty, and lack of empathy. He has used dishonesty to shield himself from remorse and reform.

The standard we apply in assessing candidates 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 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." Applying that appropriately high standard here, the Board is of the opinion that Ricardo Bacigalupo is not suitable for parole.

If paroled, Ricardo Bacigalupo would be likely to re-offend, and his release is not compatible with the welfare of society. Accordingly, parole is denied. The review will be in five years, during which time Bacigalupo should seek programming that helps him admit the truth of the murder and address the issues related to the murder and his history of theft, lying, and lack of empathy.

*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 each member of the Board has reviewed the applicant's entire criminal record. This signature does not indicate authorship of the decision.*

  
Janis DiLoreto Noble, General Counsel

11/1/13  
Date