



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

MIGUEL VASQUEZ

W67821

TYPE OF HEARING: Initial Hearing
DATE OF HEARING: August 23, 2011
DATE OF DECISION: April 12, 2012

PARTICIPATING BOARD MEMBERS: Cesar Archilla, John Bocon, Dr. Charlene Bonner, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: Release to approved home plan, after (a) one additional year in medium security and (b) 18 months in lower security incarceration. Movement to lower security occurs after August 23, 2012. Continued program participation and good conduct are required. The decision is unanimous.

I. STATEMENT OF THE CASE

Papilon Ferreiras was shot death on July 10, 1994 as he stood on Byers Street in Springfield. Members of the La Familia gang committed the murder as part of ongoing gang warfare with Los Solidos. Earlier on the same evening, members of Los Solidos shot three members of La Familia. Members of La Familia met and received orders from Lisandro Diaz, the gang's leader. Miguel Vasquez, Angel Rodriguez, and Scotty Ruiz were assigned to retaliate by searching for Los Solidos members in the area near High Street. Ruiz drove a stolen white Buick; Vasquez was in the front passenger seat armed with a handgun; Rodriguez was in the back seat with a rifle. They cruised High Street and located a member of Los Solidos; they did not fire after Vasquez noticed a man with a child near the intended target. Ruiz drove the Buick to nearby Byers Street. They drove by a group of young men standing near the street. Vasquez fired the handgun multiple times; Rodriguez fired the rifle. Mr. Ferreiras was struck once in the chest. A second victim, Jose Aguyo, was shot in the leg and recovered. Mr. Ferreiras was known as a leader in Los Solidos

Vasquez was charged and arrested within weeks of the crime. He cooperated with the prosecution and pleaded guilty to second-degree murder on March 14, 2000. Rodriguez, who fired the rifle, and Lisandro Diaz, who ordered the shootings, were also convicted of second-degree murder. Scotty Ruiz served a 5 to 7 year sentence for conspiracy to murder.

Vasquez was an active member of La Familia, and he has other criminal convictions associated with his gang activity. He has convictions for perjury, assault and battery with a dangerous weapon, possession of heroin, and possession of marijuana.

II. PAROLE HEARING ON AUGUST 23, 2011

The inmate described a commitment to rehabilitation that began shortly after the murder. He withdrew from La Familia in 1995 and received a beating as a result. He recognized that he should have been taking care of his two children instead of selling drugs with gang members. At the time of trial, his aunt told him to take responsibility by pleading guilty; she told him to listen to his family, not his fake friends in jail. Vasquez says he decided to plead guilty, against his lawyer's advice, in order to take responsibility, and to move on to changing his life.

Vasquez moved to Springfield from Brooklyn at about age 13. He received good grades and excelled in sports until he started hanging out with older boys who introduced him to La Familia. He left school in the 11th grade. The inmate described joining La Familia as the worst decision of his life. Vasquez described a close relationship with his mother. He said his anger came from resenting the absence of his father and seeing his mother endure repeated physical abuse at the hands of a boyfriend. He recognizes that he acted out his anger through his gang activities, including the murder.

Vasquez's prison record is extraordinary. He has no disciplinary reports. Vasquez started program involvement early in his incarceration, and has continued with extensive programming. Counselors have consistently reported on his meaningful participation and leadership in rehabilitative group programs. Vasquez has a steady work history in prison. Most recently, he has been moved to Bridgewater State Hospital in order to be a cadre worker; this is a position that is earned by inmates who are considered among the most reliable, hard working, and rule abiding. He obtained a GED and has taken several college correspondence courses.

He described his approach that has led to his achievements in the prison environment. He stated that "I don't give birth to negative thoughts, I stay around positive people, and stay in touch with my support network." He identified his support network as his three brothers, two children, two godmothers, and nieces and nephews. Several family members attended the hearing as supporters of parole; Vasquez's brother spoke on behalf of the family. No one spoke in opposition to parole.

The Hampden County District Attorney submitted a letter stating that because of the inmate's cooperation with the prosecution, the District Attorney did not oppose parole. The letter stated that the prosecution agreed at the time of sentencing not to oppose parole.

III. DECISION

Miguel Vasquez is the rare inmate: he committed to change shortly after his arrest and spent all of his 15 years on a steady, upward trajectory towards rehabilitation. His prison record is extraordinary: no disciplinary reports; extensive programming with very positive

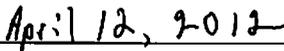
reports; work history that results in a cadre assignment due to his reliability; and educational involvement throughout his incarceration. The inmate made an exceptional presentation at his hearing by showing genuine remorse, presenting detailed and candid information about his crimes and the harm he caused, and thoughtful insights about both the causes of his criminal behavior and the changes he has made to address those causes. The Parole Board concluded that the inmate has earned parole. Given the inmate's history of gang involvement and gang crimes, only a long and productive commitment to rehabilitative change would merit a parole after the first hearing; the inmate made that commitment shortly after the murder and has conscientiously followed a plan with successful results. By the time of his release, the inmate will have served at least 17.5 years, which, under these circumstances of extraordinary achievement, is sufficient to punish the inmate and deter others. Rehabilitation is successful to the point that the Parole Board concludes that the inmate can move to lower security as part of re-entry process and after 18 months live in the community under supervision. Miguel Vasquez is granted parole because he is not likely to re-offend and his release is compatible with the welfare of the community. This decision requires the inmate to serve at minimum an additional 2.5 years. The additional incarceration will ensure that all four goals of sentencing – punishment, deterrence, public protection, and rehabilitation – have been met.

SPECIAL CONDITIONS: One year in medium security followed by 18 months in lower security; movement to lower security occurs on or after August 23, 2012; release to long term residential program for a minimum period of six months; substance abuse evaluation at program with requirement to follow recommended program; AA three times per week; no drugs or alcohol use; curfew from 10:00 p.m. to 6:00 a.m.

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



Josh Wall, Chairman



Date