

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

ANTONIO SANCHEZ

W91568

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: October 14, 2021

DATE OF DECISION: October 26, 2022

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa

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 that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in three years from the date of the hearing.¹

I. STATEMENT OF THE CASE

On February 22, 2008, in Hampden Superior Court, Antonio Sanchez pleaded guilty to one count of aggravated rape and was sentenced to life in prison with the possibility of parole.²

On February 19, 1991, 25-year-old Antonio Sanchez entered the victim's home after observing her enter the residence moments before. The 17-year-old woman, J.F.³, attempted to flee and struggled with Mr. Sanchez when he tried to stop her. When Mr. Sanchez asked whether there was any money in the home, the victim responded that there was not. Mr. Sanchez then forced her to disrobe by shoving a screwdriver in her ear and proceeded to

¹ One Board Member voted to deny parole with a review in two years from the date of the hearing.

² One count of assault and battery by means of a dangerous weapon was dismissed.

³ This is a Pseudonym. G.L. c. 265 § 124C.

violently rape her, both digitally and anally. Mr. Sanchez tied her hands, punched her in the face, and then fled by stealing her car.

A male DNA profile was derived from swabs taken in the aftermath of the attack, which was entered into a database. A match was obtained years later, in 2006, after Mr. Sanchez was compelled to provide a DNA sample resulting from another conviction. Mr. Sanchez was indicted in 2006 for aggravated rape, while serving a sentence for a separate offense.

II. PAROLE HEARING ON OCTOBER 14, 2021⁴

Antonio Sanchez, now 57-years-old, appeared before the Parole Board on October 14, 2021, for an initial hearing. He was represented by Attorney Donald Frank. In his opening statement to the Board, Mr. Sanchez apologized to the victim, and to his own family, for his actions. When Board Members questioned him as to the circumstances leading up to the governing offense, Mr. Sanchez explained that he and his significant other had recently tested positive for HIV, and that his girlfriend was seriously ill as a result. At the same time, Mr. Sanchez's father was suffering from cancer, so he turned to drugs and alcohol as a coping mechanism. He admitted to shoplifting and breaking and entering to support his addiction to cocaine and heroin.

Mr. Sanchez explained that, on February 19, 1991, he was looking for a home to rob, so he could sell the valuables and buy drugs. He used substances earlier that day and had seen the victim walk into her house. When asked by the Board why he persisted in his choice, instead of seeking an empty home to rob, Mr. Sanchez replied that the weather was very cold, and he simply wished to go inside and steal the valuables. When Board Members inquired as to how the incident escalated, Mr. Sanchez reported that the victim struggled with him. He became aroused when he "felt her body" and "for some reason decided to . . . you know, commit rape." Mr. Sanchez later stated that he felt hostile towards women at the time, having been rejected by several women due to his HIV status.

When questioned as to the details of the governing offense, Mr. Sanchez admitted to digitally raping the victim; however, he denied any penile penetration. He also admitted to tying up the victim and punching her in the face before he fled. He stole the victim's car, but decided to abandon it in an attempt to distance himself from the crime. Mr. Sanchez understood that he had done "something really bad," but put the crime in the back of his mind until he was indicted, and then rarely thought about the offense. Board Members confronted Mr. Sanchez with discrepancies between his testimony at this hearing and various statements made in prior Department of Corrections Classification Reports, in which he claimed that the assault was consensual. Mr. Sanchez, however, denied making those statements at this hearing.

Mr. Sanchez has participated in some programming and completed the Sex Offender Treatment Program in 2018. He credited the program with contributing to his development of empathy for others and with helping him glean insight into his offense. Mr. Sanchez also completed Living in Balance and has maintained a consistent work history throughout his incarceration. At the time of this hearing, Mr. Sanchez was waiting to begin the Correctional

⁴The entire video recording of Mr. Sanchez's October 14, 2021 hearing is fully incorporated by reference into the Board's decision.

Recovery Academy. The Board acknowledged Mr. Sanchez's overall positive adjustment and noted that he had very few disciplinary reports.

The Board considered testimony from several of Mr. Sanchez's family members in support of parole. The Board considered testimony from the victim's family in opposition to parole. The Board reviewed written submissions from the Hampden County District Attorney's Office in opposition to parole.

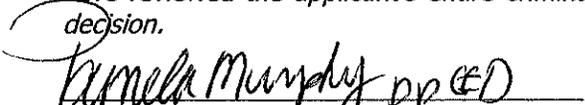
III. DECISION

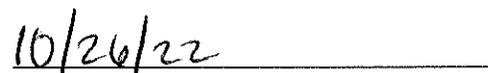
The Board is of the opinion that Mr. Sanchez has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Sanchez has been incarcerated on this offense for over 15 years. He committed the brutal rape of the victim during a robbery and was serving a sentence for a different robbery at the time he was charged with the governing offense. Over the years, he has asserted that the sexual assault of the victim was consensual. He told the Board that during the 15 years he was whereabouts unknown, he never thought about the victim. He engaged in very little meaningful rehabilitative programming until 2018. The Board acknowledges his recent completion of the SOTP, but the Board encourages him to complete CRA and Restorative Justice. During the hearing, he indicated he has already been accepted to both programs. His presentation lacked empathy for the victim and, as such, [he] would benefit from intensive rehabilitative programming like Restorative Justice.

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. Sanchez'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. Sanchez's risk of recidivism. After applying this standard to the circumstances of Mr. Sanchez's case, the Board is of the opinion that Antonio Sanchez is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Sanchez's next appearance before the Board will take place in three years from the date of this hearing. During the interim, the Board encourages Mr. Sanchez to continue working toward his full rehabilitation.

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.


Pamela Murphy, General Counsel


Date