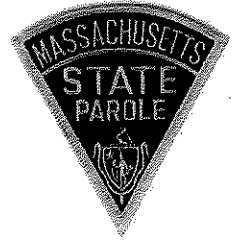


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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Executive Director
General Counsel

DECISION

IN THE MATTER OF

CESAR VELEZ

W89764

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: February 27, 2018

DATE OF DECISION: October 31, 2018

PARTICIPATING BOARD MEMBERS: Sheila Dupre, Dr. Charlene Bonner, Tonomey Coleman, Tina Hurley, Colette Santa, Lucy Soto-Abbe, Paul M. Treseler¹

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 by unanimous vote that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in five years from the date of the hearing.

I. STATEMENT OF THE CASE

On April 26, 2007, in Suffolk Superior Court, Cesar Velez pleaded guilty to the second degree murder of Amelia Gomez and was sentenced to life in prison with the possibility of parole.

On March 25, 2003, at approximately 4:50 p.m., Amelia Gomez was in the parking lot of the Archdale Housing Development in Roslindale, when she was confronted by her former boyfriend, Cesar Velez (age 38). After an argument ensued, Mr. Velez retrieved a kitchen knife from the trunk of his car, grabbed Ms. Gomez by the throat, and stabbed her to death. Mr. Velez attempted to flee, but was blocked by a group of young men. Mr. Velez then swung his knife at the men, before returning to the body of Ms. Gomez and stabbing himself. After Mr. Velez fell to

¹ Chairman Paul Treseler recused himself from this hearing.

the ground, a bystander kicked the knife out of his hand. Mr. Velez was taken to the hospital and subsequently charged with the murder of Ms. Gomez.

II. PAROLE HEARING ON FEBRUARY 27, 2018

Cesar Velez, now 53-years-old, appeared before the Parole Board on February 27, 2018, for his initial hearing. A Spanish-English translator participated at the hearing. In his opening statement, Mr. Velez took responsibility for murdering Ms. Gomez and apologized for the hurt and suffering that he caused so many people, especially the Gomez family. The Board questioned Mr. Velez as to how long he had been in the United States prior to the murder. Mr. Velez stated that he crossed the United States-Mexican border illegally, spent about 3 months in New York City and Providence, and lived in Massachusetts for about 8 months before the murder occurred. After he moved to Boston, he was arrested for trafficking cocaine and spent a month in jail before he made bail. Although Mr. Velez claims that the charges were dismissed, the Board noted that the trafficking charges were not dismissed, but rather, placed on file.

The Board questioned Mr. Velez as to how he came to live with Ms. Gomez. Mr. Velez explained that he started dating Ms. Gomez soon after moving to Boston. He lost his apartment and car, however, when he was arrested for drug trafficking. After he got out of jail, he had nowhere to live, so he moved in with his girlfriend, Ms. Gomez. Mr. Velez said that he lived with her for about four months but, in the last two months of living together, he and Ms. Gomez began fighting a lot, so she finally asked him to move out. Mr. Gomez told the Board he moved out about a week before the murder. The Board noted information indicating Mr. Velez had hit Ms. Gomez and questioned him as to whether he had ever assaulted her. Mr. Velez said that he pushed Ms. Gomez into a chair about a week before the murder, but claims that he never punched her. When the Board asked Mr. Velez whether he had ever threatened to kill himself and/or Ms. Gomez prior to the murder, Mr. Velez said that about a week prior, he threatened to kill himself, but did not threaten to kill Ms. Gomez.

The Board questioned Mr. Velez as to whether he had contact with Ms. Gomez after moving out. Mr. Velez stated that on the day before the murder, Ms. Gomez had asked him to return a spare tire that she left in the trunk of his car. He drove over to Ms. Gomez's apartment the next day to give her the tire. Mr. Velez said that he waited for Ms. Gomez from 8:00 a.m. until 4:30 p.m. and, when he saw her go to her car, he parked behind her. Mr. Velez said he went to the trunk of his car to get the spare tire, but then, he lost control of his emotions. Instead, he grabbed a knife from the trunk and decided to kill both himself and Ms. Gomez. He told the Board he had become obsessed with Ms. Gomez and felt trapped by his situation. He felt that killing her, and himself, would be the only solution.

When asked about his programming efforts, Mr. Velez said that he just completed two programs in December and currently works in the prison industry. He is also taking English as a Second Language (ESL). The Board noted that Mr. Velez currently has an Immigration and Customs Enforcement Agency (ICE) detainer and asked if he expects to be deported back to the Dominican Republic, if paroled. Mr. Velez said that he expects to be deported and would live at the house he owns with his wife, if she would have him back. He could work for his brothers and would like to start a tailoring shop using the skills he learned in prison.

Mr. Velez's family members and a childhood friend sent letters in support of parole. Members of the Gomez family attended and testified at the hearing in opposition to parole. In addition, family members of Ms. Gomez sent letters of opposition. Suffolk County Assistant District Attorney Charles Bartoloni testified in opposition to parole and submitted a letter of opposition, as well. Boston Police Commissioner William Evans also sent a letter of opposition.

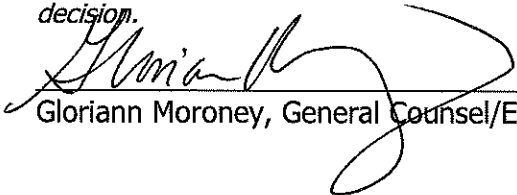
III. DECISION

The Board is of the unanimous opinion that Cesar Velez has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Velez brutally murdered the victim, and continues to minimize his criminal culpability. He has yet to demonstrate that he has been rehabilitated.

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 consideration Mr. Velez's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment and whether risk reduction could effectively minimize Mr. Velez's risk of recidivism. After applying this standard to the circumstances of Mr. Velez's case, the Board is of the unanimous opinion that Cesar Velez does not merit parole at this time.

Mr. Velez's next appearance before the Parole Board will take place in five years from the date of this hearing. During the interim, the Board encourages Mr. Velez to continue to work towards 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.



Gloriann Moroney, General Counsel/Executive Director

10/31/18
Date