

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Thomas A. Turco III
Secretary

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Gloriann Moroney
Chair

Kevin Keefe
Executive Director

DECISION

IN THE MATTER OF

CHARLES ROSARIO

W87543

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: May 21, 2019

DATE OF DECISION: March 23, 2020

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, 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 by unanimous vote that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in four years from the date of the hearing.¹

I. STATEMENT OF THE CASE

On April 6, 2006, in Worcester Superior Court, Charles Rosario pleaded guilty to second-degree murder in the death of 22-year-old Nathan Watkins. On April 20, 2006, he was sentenced to life in prison with the possibility of parole.

On May 27, 2004, at around 4:00 a.m., 21-year-old Charles Rosario took a cab to the home of Nathan Watkins, the cousin of a woman he had been dating. The woman had recently informed Mr. Watkins that Mr. Rosario hit her during an argument on May 25. Although Mr. Watkins and Mr. Rosario did not know one another, they had multiple phone conversations on May 25 and 26 that were threatening in nature and suggestive of an impending altercation between them. On May 27, Mr. Rosario left a party where he had ingested drugs and alcohol.

¹ One Board Member voted to deny parole with a review scheduled in three years.

While on the phone again with Mr. Watkins, Mr. Rosario directed the cab driver to take him to Mr. Watkins' home. When he arrived, Mr. Watkins was standing on the porch with his mother, who attempted to physically prevent her son from leaving the porch to engage with Mr. Rosario. As the two men approached each other, Mrs. Watkins continued to intervene. At one point, she put her hands on Mr. Rosario and told him to leave. Shortly thereafter, Mr. Rosario raised his gun and shot Mr. Watkins once in the head. He then fled on foot, while Mr. Watkins' father chased him. Mr. Watkins was transported to the hospital, where he succumbed to his injuries.

II. PAROLE HEARING ON MAY 21, 2019

Charles Rosario, now 37-years-old, appeared before the Parole Board on May 21, 2019, for an initial hearing. He was not represented by counsel. In his opening statement to the Board, Mr. Rosario apologized to the Watkins family for his "ruthless act of senseless violence" and, in particular, to Mr. Watkins' parents for forcing them to witness the murder of their son. He further apologized to his own family, acknowledging that his crime broke his mother's heart. Mr. Rosario stated that he moved to the United States at age 4, but had trouble adjusting to his new surroundings. Despite a positive relationship with his mother and sister, he suffered physical abuse at the hands of his stepfather. He was regularly bullied, which contributed to his feelings of low self-esteem. In an effort to compensate, Mr. Rosario committed himself (as a teenager) to the "street lifestyle" in order to prove to others, and to himself, that he was a man. He began using and selling drugs, as well as carrying a firearm. Mr. Rosario became court-involved as a juvenile, resulting in three commitments to the Department of Youth Services. The Board noted Mr. Rosario's history of violent behavior, and the fact that he was on probation for a violent offense at the time of the murder. Mr. Rosario agreed that his prior aversion to court-ordered supervision is troubling for an individual currently seeking parole.

When Board Members questioned him as to the events leading up to the murder, Mr. Rosario said that he had been drinking alcohol and using cocaine at a party into the early morning hours of May 27. He had discussed Mr. Watkins' phone calls with friends, who encouraged him to forget about the incident and move on. Instead, he grew angrier as he became more intoxicated, listening repeatedly to Mr. Watkins' voicemails. Mr. Rosario claims that he left the party in a cab to go home, but then decided that a confrontation was necessary after speaking with Mr. Watkins on the phone during the ride. Mr. Rosario told the Board that, although he was not planning to murder Mr. Watkins, he was in a mindset that "whatever happened, happened." He got out of the cab with his gun in hand and ignored Mrs. Watkins' attempted interference in the fight. He stated, "Do you know who I am now?" before pressing the gun to Mr. Watkins' head and firing once. Mr. Rosario acknowledged that Mrs. Watkins watched as her son was murdered. He ran from the scene with no real plan, except to evade the person chasing him. He later learned that he was being chased by Mr. Watkins' father, who had been inside the family home when his son was shot.

Mr. Rosario agreed with the Board that his institutional adjustment was poor for the first several years of his incarceration. Most notably, Mr. Rosario participated in a violent brawl with other inmates, resulting in disciplinary reports for fighting and possession of a weapon. Mr. Rosario told the Board that this institutional adjustment began to improve around 2011, when he made the decision to focus on his rehabilitation and transform himself for the better. Board members noted that for the past seven or eight years, Mr. Rosario has made an effort to engage in programs and rehabilitation. In addition to the NEADS program, Mr. Rosario is a student in

the Emerson Prison Initiative and has completed (or has served as a facilitator in) numerous programs, including AA/NA, Correctional Recovery Academy, Restorative Justice, and Alternatives to Violence. Through his programming efforts, Mr. Rosario has worked toward victim empathy in order to understand the unending trauma he inflicted upon the Watkins family.

Mr. Rosario's mother, pastor, mentor, and friend testified in support of parole. Mr. Watkins' father, mother, cousin, and friend testified in opposition to parole. Worcester County Assistant District Attorney Michelle King testified and submitted a letter in opposition to parole. The Board also considered additional letters of support and opposition.

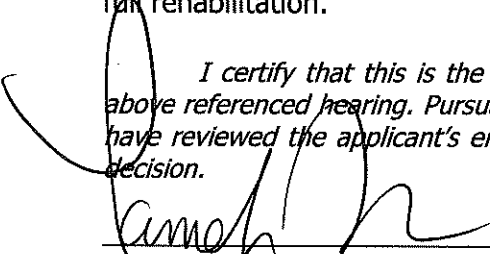
III. DECISION

Charles Rosario has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Rosario just recently accepted his criminal culpability in the death of Nathan Watkins. He should continue to engage in treatment/programming and maintain a positive adjustment. By his own admission, his transformation began in 2011.

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

Mr. Rosario's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages him to continue working 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.


Pamela Murphy, General Counsel


Date