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*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

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Gloriann Moroney  
Chair

Kevin Keefe  
Executive Director

**RECORD OF DECISION**

**IN THE MATTER OF**

**DANIEL SANTOS**  
**W85177**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** September 15, 2020

**DATE OF DECISION:** February 4, 2021

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

**STATEMENT OF THE CASE:** On March 18, 2005 in Middlesex Court, Daniel Santos was found guilty first-degree murder. He was sentenced to life imprisonment without the possibility of parole. Mr. Santos filed an appeal, which resulted in his first-degree murder conviction being overturned.<sup>1</sup> On October 12, 2010, Mr. Santos pleaded guilty to second-degree murder in the death of 39-year-old Jose Paulino. He received a sentence of life with the possibility of parole.

Mr. Santos appeared before the Parole Board for a review hearing on September 15, 2020. He was represented by Harvard Law School Prison Legal Assistance Project Law Students Sarah Margulies and Taylor Keating. This was Mr. Santos' second appearance before the Board, having been denied in 2017. The entire video recording of Mr. Santos' September 15, 2020 hearing is fully incorporated by reference to the Board's decision.

**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 a suitable candidate for parole. Reserve to his United States Immigration and Customs Enforcement (ICE) detainer. Mr. Santos has served approximately 18 years for the murder of Jose Paulino. Since his last hearing Mr. Santos completed several programs to include the Restorative Justice Retreat, Alternatives to Violence (all phases), Victim Offender Education Group and obtained his welding license. Mr. Santos has demonstrated that he is

<sup>1</sup> *Commonwealth v. David Santos*, 454 Mass. 770 (2009)

serious about his rehabilitation. It is the opinion of the Board that his release on parole supervision is compatible with the welfare of society.

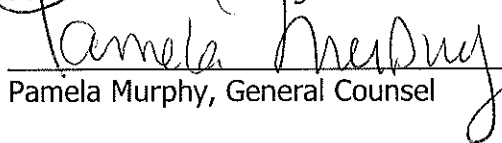
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society."

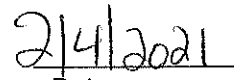
In forming this opinion, the Board has taken into consideration Mr. Santos' institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Santos' risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Santos' case, the Board is of the unanimous opinion that Mr. Santos is rehabilitated and merits parole at this time.

**Special Conditions:** Reserve to his United States Immigration and Customs Enforcement (ICE) detainer; Approved home plan before release (in the event Mr. Santos is released from ICE custody); Waive work for two weeks; Must be at home between 10 p.m. and 6 a.m.; ELMO-electronic monitoring; Supervise for drugs; testing in accordance with agency policy; Supervise for liquor abstinence; testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact with victim(s) family; Must have substance abuse evaluation, adhere to plan; and Must have mental health counseling for adjustment/transition.

**IMPORTANT NOTICE:** The above decision is an abbreviated administrative decision issued in an effort to render an expedited resolution in response to the COVID-19 pandemic. Mr. Santos, through counsel, has waived his right to a full administrative decision.

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

  
Pamela Murphy, General Counsel

  
Date