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Tina M. Hurley
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RECORD OF DECISION

IN THE MATTER OF

DOMINGO ARCHEVAL
W95592

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: July 11, 2024

DATE OF DECISION: October 24, 2024

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman,¹ Sarah B. Coughlin, Tina M. Hurley,² James Kelcourse, Rafael Ortiz

VOTE: Parole is granted to C.R.J. after a 12 month step down to lower security.³

PROCEDURAL HISTORY: On August 31, 2000, following a jury trial in Hampden Superior Court, Domingo Archeval was convicted of murder in the second degree for the death of 16-year-old Dustin Lee Velez. He was sentenced to life in prison with the possibility of parole.⁴ On that same date, he was convicted of armed assault with intent to kill and possession of a firearm for the shooting of another 16-year-old victim and received a concurrent sentence of 3 to 5 years on each count; assault and battery by means of a dangerous weapon, which he received a from and after sentence of 3 to 5 years, and possession of ammunition without an FID card which was filed.

¹ Board Member Coleman was not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote.

² Chair Hurley was not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote.

³ Three Board Members voted to deny parole with a review in two years from the date of the hearing.

⁴ This conviction was to be served from and after his 2000 distribution of a controlled substance (cocaine or PCP) for which he received a 5 year to 5 year and a day, which was to be served from and after his 2000 assault dangerous weapon charge for which he received a 3 ½ to 5-year sentence.

On July 11, 2024, Domingo Archeval appeared before the Board for an initial hearing.⁵ He was represented by student attorneys, Sarah Friedman and Maddie Stuzin, from the Harvard Prison Legal Assistance Project under the supervision of Attorney Joel Thompson. The Board's decision fully incorporates by reference the entire video recording of Domingo Archeval July 11, 2024 hearing.

STATEMENT OF THE CASE: On September 10, 1999, at approximately 11:45 pm., Springfield police responded to Sheldon Street for the report of a possible shooting. One victim, later identified as Dustin Lee Velez, was suffering from a gunshot wound to the head and had already been removed from the scene and taken to the hospital. The second victim was still on scene and suffering from two apparent gunshot wounds, one to the abdomen and one to his left leg. The second victim was transported to the hospital. Notification was received by the officers that the first victim had died. Officers at the scene secured evidence and began to locate any possible witnesses to the shooting. It was learned that a black BMW was the vehicle used by two assailants that had fled the scene. Police learned that the BMW was registered to the girlfriend of Domingo Archeval. Witnesses identified her as the driver of the vehicle. Witnesses also identified Domingo Archeval as walking towards the two victims. One witness observed Mr. Archeval pull out a gun and shoot both victims. In his testimony before the Board, Mr. Archeval claimed that his brother was the shooter, but admitted that he was the person who had started the fight that evening.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

DECISION OF THE BOARD: This is Mr. Archeval's first appearance before the Board after serving aggregated sentences. Mr. Archeval was 20 years old at the time of the offense, and the Board has considered attributes of the emerging adult brain development. During his 25 years of incarceration, Mr. Archeval has engaged in over 25 programs. He is employed in laundry; he has been taking courses through Mt. Wachusett and is enrolled in an associate's degree program. He has a minimal history of disciplinary reports. He is an active member of the Nation of Islam. He scores medium risk on the LS/CMI risk assessment tool. Mr. Archeval has considerable support. He has employment opportunities and has identified educational opportunities and sources of support in the community. Mr. Archeval's family spoke in support of parole. Hampden County Assistant District Attorney Michael Julian opposed parole. The

⁵ Pursuant to *Dinkins & another v. Massachusetts Parole Board*, 486 Mass. 605 (2021), the Parole Board must aggregate parole eligible life terms that are first in a series with from and after terms for purposes of determining the parole eligibility date.

Board concludes that Domingo Archeval has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: C.R.J.; Waive work for 2 weeks; Curfew must be home between 10 PM and 6 AM at Parole Officer's discretion for 9 months; Electronic monitoring at Parole Officer's discretion for 9 months; Supervision for drugs, with testing in accordance with agency policy; Supervise for liquor abstinence, with 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 and must follow recommendation; Counseling for adjustment.

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.


Tina M. Hurley, Chair


Date