



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

**PAROLE BOARD**

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**Tina M. Hurley**  
*Chair*

**Daniel Nakamoto**  
*Acting Executive Director*

**RECORD OF DECISION**

**IN THE MATTER OF**

**GEORGE DUARTE**  
**W96765**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** August 24, 2023

**DATE OF DECISION:** December 13, 2023

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Tina M. Hurley, James Kelcourse

**VOTE:** Parole is denied with a review in three years from the date of the hearing.<sup>1</sup>

**PROCEDURAL HISTORY:** On July 1, 2010, following a jury trial in Bristol Superior Court, George Duarte was convicted of second-degree murder and was sentenced to life in prison with the possibility of parole. Mr. Duarte, 35 years old, appeared before the Board on August 24, 2023 for an initial hearing. He was represented by two student attorneys 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 Mr. Duarte's August 24, 2023 hearing.

**STATEMENT OF THE CASE:** On December 31, 2007, two New Bedford residents hosted a New Year's Eve party in their apartment. After midnight, two partygoers began "play fighting" and the hosts asked them to stop. The guests were asked to leave, and a bottleneck formed at the main exit. There was pushing and shoving in the crowd. Mr. Duarte (20 years old) took out a .45 caliber handgun and fired one round into the air, causing the crowd to freeze. Fifteen-year-old Edwin Medina attempted to blindside Mr. Duarte by rushing at him. Mr. Duarte turned around and fatally shot Mr. Medina in the stomach before fleeing the scene.

**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


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<sup>1</sup> One Board Member voted to deny parole with a two-year review.

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 was Mr. Duarte's initial appearance before the Board. The Board recognizes his participation in programming, including Jericho Circle, Restorative Justice, and Second Thoughts. The Board has concerns regarding the number and frequency of disciplinary reports, including for fights and assaultive behavior. The Board recommends that Mr. Duarte formally renounce his security threat group ("STG") affiliations through the Department of Correction, continue to pursue his HiSET, and remain disciplinary report free. The Board also recommends that he engage in vocational training. No one appeared in opposition. Mr. Duarte's wife, step-daughter, and sister appeared in support.

*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

12/13/2023

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Date