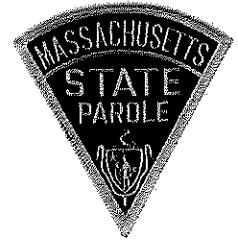


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

GEORGE VICENTE

W87303

TYPE OF HEARING: Review Hearing

DATE OF HEARING: June 11, 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 the 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 at this time. Parole is granted to an approved home plan with special conditions.

I. STATEMENT OF THE CASE

On March 14, 2006, in Plymouth Superior Court, a jury found George Vicente guilty of second-degree murder in the death of Anthony Weeks. He was sentenced to life in prison with the possibility of parole.

On July 4, 2002, 17-year-old George Vicente and another man fought at the Brockton Fair. Anthony Weeks (age 16) was present, but he was not involved in the fight. Mr. Weeks and a group of other people, including the man involved in the fight, proceeded to walk home along Belmont Street. After a series of events involving this group and a white Ford Explorer, Mr. Weeks tried to hide by crouching behind a car. A neighbor watching from his window saw Mr. Vicente climb up and position himself between two cars that were parked close together, one in front of the other. Mr. Vicente put his feet on the hood of one car and leaned forward,

putting his hands on the back window of a station wagon parked directly behind it. He shot downward, killing Anthony Weeks.

Sets of finger and palm prints taken from the rear car window, where the shooter leaned forward, were a perfect match to Mr. Vicente's prints. Shoe prints from the hood of the other car were consistent with shoes taken from Mr. Vicente when he was arrested. The trajectory of the fatal bullet corroborated the description of both Mr. Weeks' and Mr. Vicente's relative positions at the time of the murder.

II. PAROLE HEARING ON JUNE 11, 2019

George Vicente, now 34-years-old, appeared before the Parole Board for a review hearing on June 11, 2019. He was represented by Attorney Jason Benzaken. He was denied parole after his initial hearing in 2017. In Mr. Vicente's opening statement, he expressed his remorse for the death of Anthony Weeks and accepted full responsibility for the crime. He regrets the pain and suffering he caused, and continues to cause, Mr. Weeks' family and friends.

When Board Members questioned him as to the events that transpired on the day of the murder, Mr. Vicente (acknowledging he was a gang member) stated that he had been "jumped" by members of a rival gang earlier that day. He felt shamed and wanted to retaliate for the beating he received. Mr. Vicente described shooting at a group of about 5 people he suspected of belonging to a rival gang, first shooting at a person he knew to be a gang member and then shooting and killing Mr. Weeks, as he attempted to run away.

The Board, noting that Mr. Vicente has completed an impressive amount of programming, questioned him as to his progress in rehabilitation during his incarceration. Mr. Vicente explained how his investment in treatment/programming has helped him gain a greater perspective of his crime. He described being deeply affected after meeting the victim's mother through the Restorative Justice program. He learned that she loved her job working with children, but became so depressed after losing her son, that she quit and struggled for years with depression. Through Emotional Awareness, as well as his other programming efforts, Mr. Vicente learned how to stop being a "follower." Instead of doing things solely for others to like him, Mr. Vicente concentrated on his programming efforts and his studies, earning a Bachelor's degree from Boston University.

The Board considered a psychological evaluation submitted by Dr. Mendoza, noting it to be mostly positive. However, the report stated that Mr. Vicente was diagnosed with persistent depressive disorder. Mr. Vicente said that he plans to seek counseling, both for his transition out of prison and for depression. He also plans to attend couples therapy. Mr. Vicente is currently in lower security and hopes to be paroled to his mother's house in Attleboro, where he has a job offer working for his brother, customizing cars. He is studying to take the GRE and plans to earn a master's degree in divinity studies. Mr. Vicente hopes to eventually be a teacher or a pastor.

Multiple letters of support were submitted on Mr. Vicente's behalf. The Board considered oral testimony from Mr. Vicente's two sisters and girlfriend, all of whom expressed strong support for parole. Additionally, a psychological evaluation by Dr. Mendoza was resubmitted. Plymouth County Assistant District Attorney Keara Kelley spoke in opposition to parole and submitted a letter of opposition.

III. DECISION

The Board is of the opinion that George Vicente has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Vicente has served 17 years for the murder of 16-year-old Anthony Weeks. He is currently in lower security and program compliant, coupled with a positive adjustment.

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 the context of an offender convicted of first or second degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015); See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015).

The factors considered by the Board include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.* The Board has also considered a psychological evaluation and whether risk reduction programs could effectively minimize Mr. Vicente's risk of recidivism. After applying this standard to the circumstances of Mr. Vicente's case, the Board is of the unanimous opinion that George Vicente is rehabilitated, and his release is compatible with the welfare of society. Mr. Vicente, therefore, merits parole at this time. Parole is granted to an approved home plan with special conditions.

SPECIAL CONDITIONS: Approve home plan before release; Waive work for two weeks; Must be home between 10PM and 6AM or Parole Officer's discretion; Electronic Monitoring at Parole Officer's discretion; Supervise for drugs, testing in accordance with agency policy; Supervise for alcohol 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 mental health counseling for adjustment/transition, depression, and couples counseling; AA/NA at least three times/week.

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

3/23/2020
Date