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Paul M. Treseler
Chairman

Michael J. Callahan
Executive Director

DECISION

IN THE MATTER OF

HECTOR GONZALEZ
W44199

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **May 17, 2016**

DATE OF DECISION: **November 9, 2016**

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, Tina Hurley, Lucy Soto-Abbe

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 five years from the date of the hearing.

I. STATEMENT OF THE CASE

On November 16, 1987, in Hampden Superior Court, 40-year-old Hector Gonzalez pled guilty to the second degree murder of 30-year-old Sonia Torres. He was sentenced to life with the possibility of parole. On the same date, Mr. Gonzalez pled guilty to three counts of rape of a child with force, three counts of indecent assault and battery on a child under 14, and one count of assault with intent to rape a child under 16 for the repeated abuse of Ms. Torres' three daughters. He received sentences of 12 to 15 years on each of the rape counts; and 8 to 10 years on the indecent assault and assault with intent to rape counts. All sentences were to be served concurrently.

In the early 1980's, Mr. Gonzalez lived in Springfield with his girlfriend, Sonia Torres, and her three daughters. For several years, Mr. Gonzalez committed sexual assaults, including multiple acts of rape, on the three girls. On February 2, 1986, Ms. Torres walked in on Mr. Gonzalez when he was in the process of sexually assaulting her oldest daughter, who was 14-

years-old at the time. Ms. Torres and her daughter reported the assault to the police and then, along with her other children, went to stay with a relative. On February 6, 1986, Ms. Torres and her daughter, then 11-years-old, returned to the apartment to gather personal items for the girls. Mr. Gonzalez, however, was hiding in the apartment with a kitchen knife. Mr. Gonzalez stabbed Ms. Torres multiple times in the chest, and sliced her daughter twice on her hands. Ms. Torres was still alive when police found her in a puddle of blood on the kitchen floor, but she later died at Springfield Hospital. Mr. Gonzalez, who had fled the apartment, was arrested out of state the next day.

After the murder, the two oldest girls disclosed the extent of the sexual assaults. The 14-year-old reported that the assaults began with fondling when she was seven and progressed to forced vaginal rape. The 12-year-old reported that the sexual assaults began when she was seven and continued for five years, sometimes on a daily basis. Mr. Gonzalez beat the girls when they resisted, and threatened to kill their mother if they ever told anyone about the abuse. Mr. Gonzalez impregnated both of the girls, who subsequently gave birth and raised the children.

II. PAROLE HEARING ON MAY 17, 2016

Mr. Gonzalez, now 69-years-old, appeared before the Board on May 17, 2016, for a review hearing. This was Mr. Gonzalez's fourth appearance before the Board, and he was not represented by counsel. Reading from a prepared statement, Mr. Gonzalez stated that he has come to recognize the great harm he caused by "not only the disgusting rape of my girls, [but] also the horrendous murder I committed against my wife." Mr. Gonzalez claimed to have changed, stating that "today I consider myself an honest man, committed to committing good deeds." Mr. Gonzalez admitted to stabbing Ms. Torres to death and to raping her daughters for years. He also said that Ms. Torres had caught him raping her oldest daughter, and that she had subsequently left the apartment to protect herself and her children. When asked about the day of the murder, Mr. Gonzalez claimed that it was not his intent to murder Ms. Torres, but only to talk to her. A Board Member pointed out that Mr. Gonzalez was waiting with a knife to put fear in Ms. Torres in order to control her, and that when she didn't respond the way he wanted, Mr. Gonzalez went into a rage. Mr. Gonzalez described Ms. Torres as "a person who always wanted to be in control of everything." A Board Member took issue with that, stating that Mr. Gonzalez, in fact, was the one who exerted control over the entire family through violence and threats.

When asked about his motivation to rape the girls, Mr. Gonzalez insisted that there was no sexual motivation or sexual pleasure involved in the assaults. Instead, he claimed that he raped them as revenge against their mother because, on one occasion, she left the apartment for a week. Mr. Gonzalez was asked about his history of participating in sex offender treatment. He said that he entered sex offender treatment in 1997. However, after seven years, he told his therapist that he couldn't continue in the program because his mother and his daughter were sick. Mr. Gonzalez re-entered sex offender treatment in 2006, but was terminated in 2010. Mr. Gonzalez stated that he requested to re-enter the program a year ago, and recently began sex offender treatment again. However, he received feedback stating that he needs to do more work in his treatment. Several Board Members commented on the particularly depraved nature of Mr. Gonzalez's crimes, his lack of progress in sex offender treatment (particularly in understanding the motivations for the repeated rapes of three young

girls), and his lack of victim empathy. Further, when the Board questioned Mr. Gonzalez on his parole plan, he stated that he did not have one.

The Board considered oral testimony from two of Ms. Torres' daughters, both of whom described the sexual assaults they endured as children. Both sisters strongly oppose parole. The Board also heard testimony in opposition to parole from Angel Matos, a nephew of Ms. Torres. Mr. Matos works in funeral services and tended to Ms. Torres' body after the murder. Each of these witnesses pointed out that Mr. Gonzalez had not expressed his sorrow anywhere in his testimony. Finally, the Board considered testimony in opposition to parole from Hampden County Assistant District Attorney Howard Safford.

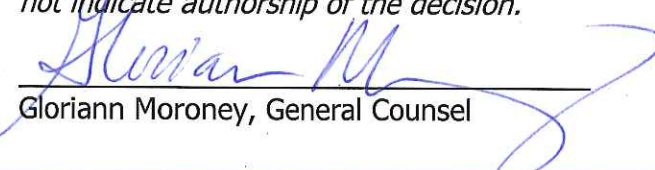
III. DECISION

The Board is of the opinion that Mr. Gonzalez has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes a longer period of institutional adjustment and additional programming would be beneficial to Mr. Gonzalez's rehabilitation.

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

Mr. Gonzalez's next appearance before the Board will take place in five years from the date of this hearing. During the interim, the Board encourages Mr. Gonzalez to engage in programming, as well as work toward 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.


Gloriann Moroney, General Counsel

11/9/16
Date