

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



PAROLE BOARD

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DECISION

IN THE MATTER OF

HERMAN HALL

W42454

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **December 3, 2020**

DATE OF DECISION: **July 19, 2021**

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, 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 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 four years from the date of this hearing.

I. STATEMENT OF THE CASE

On May 21, 1986, in Essex Superior Court, Herman Hall pleaded guilty to aggravated rape, unarmed robbery, and assault and battery by means of a dangerous weapon. Two concurrent sentences of life in prison, with the possibility of parole, were imposed on Mr. Hall for his convictions of aggravated rape and unarmed robbery. Mr. Hall was also sentenced to a concurrent term of not more than 10 years and not less than 9 years in prison for his conviction of assault and battery by means of a dangerous weapon. This sentence was set to run concurrently with his life sentence.

On May 22, 1986, in Essex Superior Court, Mr. Hall pleaded guilty to rape, assault and battery by means of a dangerous weapon, and assault with intent to rape. Mr. Hall was sentenced to a term of not more than 20 years and not less than 18 years in prison for his conviction of rape. Two separate sentences of not more than 10 years and not less than 9

years in prison were imposed on Mr. Hall for his conviction of assault with intent to rape and assault and battery by means of a dangerous weapon. All sentences imposed on Mr. Hall, resulting from these convictions, were ordered to run concurrently with his life sentences.

On January 8, 1987, in Essex Superior Court, Mr. Hall pleaded guilty to aggravated rape, armed robbery, and assault and battery by means of a dangerous weapon. Two separate sentences of life in prison, with the possibility of parole, were imposed on Mr. Hall for his convictions of aggravated rape and armed robbery. These sentences were to run concurrently with each other and his other life sentences. Mr. Hall's conviction for assault and battery by means of a dangerous weapon was placed on file.

In the spring of 1985, Mr. Hall committed a series of sexual assaults against four women. Mr. Hall raped three women on separate occasions and sexually assaulted a fourth woman with the intent to rape her. He also robbed two of the rape victims. Mr. Hall used a knife during the commission of each of these sexual assaults and was remarkably violent in his language and threats. One of Mr. Hall's victims was 14 years old.

II. PAROLE HEARING ON DECEMBER 3, 2020

Herman Hall, now 59-years-old, appeared before the Parole Board on December 3, 2020, for a review hearing. He was not represented by counsel. Mr. Hall was denied parole after his initial hearing in 2001, and after his review hearings in 2005, 2010, and 2015. In Mr. Hall's opening statement to the Board, he apologized to his victims for the "harm and trauma" that he caused them. He took full responsibility for his "animalistic and outrageous behavior," stating that he wished he could take back "all the pain and suffering." Mr. Hall said that his crimes were the result of "poor decision making," indicating that substance abuse was a significant factor. He claimed that his crimes "certainly" would not have occurred had he been sober. Mr. Hall stated that he completed the Sex Offender Treatment Program (SOTP) in 2005 and continues to participate in the SOTP Maintenance Program. He credits the program as having helped him take responsibility for his actions and emotions.

When Board Members inquired as to his treatment of women prior to the governing offense, Mr. Hall admitted that he began victimizing women at 18 years old. He would "grope" women at parties and, on various occasions, provide women with drugs and alcohol, "hoping" that they would have sex with him once intoxicated. At the time, he lacked communication skills and believed that substances would "make it easier" for him. When Board Members asked whether he viewed these women as victims, Mr. Hall initially responded that he did not, stating that he did not force them to have sex with him. Rather, he claimed to have asked permission. However, when Board Members noted that his actions were manipulative and abusive, Mr. Hall agreed and conceded that these women were, in fact, victims.

Board Members questioned Mr. Hall as to whether he committed additional rapes (aside from what he has been charged with). Initially, he said no, despite another victim coming forward and naming him as her assailant. However, after one Board Member read the victim's statement out loud, he realized that the attack sounded "very familiar" and then claimed responsibility. As to his previous romantic relationships, Mr. Hall explained that his disdain for women likely began to form at an early age. He witnessed his father abuse his mother, both physically and sexually, and, as such, he learned to treat women poorly. When the Board asked

Mr. Hall about his interactions with past girlfriends, he admitted to being controlling and hypocritical. However, he denied being violent or sexually devious with them.

Board Members discussed the details surrounding the governing offense. Mr. Hall explained that he raped and assaulted his victims because he wanted to make them "feel miserable," just like him. When asked what precipitated the attacks, Mr. Hall cited anger, substance abuse, and his girlfriend's infidelity as factors that specifically contributed to his crimes. Prior to the first rape he committed, Mr. Hall walked in on his girlfriend having sex with another man. Mr. Hall believed that witnessing this event triggered his rage, stating that "I felt like no one cared about me, so why should I care about anyone else." At the time of the attacks, Mr. Hall believed that "all women mistreat men" and, thus, his actions were justified. When asked how he could manifest such a significant level of anger that he raped and assaulted innocent strangers, Mr. Hall said, "It's something I struggle with every day."

The Board also discussed Mr. Hall's programming efforts, noting his lack of participation in Restorative Justice. Mr. Hall indicated that he would "love" to sign up for any program that benefited him; however, he claims to have not had the chance due to COVID-19 and full-time employment. Mr. Hall agreed with the Board that he would benefit from programs that focus on victim empathy, as he thinks about his victims "daily." Board Members also noted that, despite completing Correctional Recovery Academy (CRA) in 2009, Mr. Hall did not engage in a maintenance program for further treatment. The Board discussed the importance of substance abuse programs, particularly as Mr. Hall stated that substance abuse was a significant factor in the commission of his crimes. While Mr. Hall maintains that he has been sober for 35 years, the Board nonetheless expressed concern that he could relapse and, as a result, victimize additional women.

The Board considered testimony in support of parole from Mr. Hall's friend. The Board also considered testimony and letter in opposition to parole from Essex County Assistant District Attorney Kristen Jiang.

III. DECISION

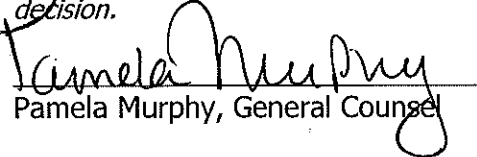
The Board is of the opinion that Herman Hall has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Hall committed several rapes between April 6 and May 11, 1985, on the North Shore. This is Mr. Hall's fifth appearance before the Board. Despite his involvement in numerous treatment/programming, he lacks empathy and displays a limited understanding as to how his criminal behavior not only affected the victims, but also the community. Additionally, he should further address the concerns outlined by the Treatment Review Panel in their report. Release remains incompatible with the welfare of society.

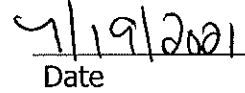
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." 120 C.M.R. 300.04. In forming this opinion, the Board has taken into consideration Mr. Hall'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.

Hall's risk of recidivism. After applying this standard to the circumstances of Mr. Hall's case, the Board is of the opinion that Herman Hall does not merit parole at this time.

Mr. Hall's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages Mr. Hall to continue working towards 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.


Pamela Murphy, General Counsel


Date