

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Terrence Reidy
Secretary

Gloriann Moroney
Chair

Kevin Keefe
Executive Director

RECORD OF DECISION

IN THE MATTER OF

MALIK ABDUL-AZIZ

(FKA NORMAN HAWKESWORTH)

W44026

TYPE OF HEARING: Review Hearing

DATE OF HEARING: August 5, 2021

DATE OF DECISION: June 15, 2022

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa¹

STATEMENT OF THE CASE: On September 29, 1987, after a jury trial in Suffolk County Superior Court, Mr. Abdul-Aziz was convicted of first-degree murder on the theory of felony murder and sentenced to life in prison without the possibility of parole.

Mr. Abdul-Aziz appeared before the Parole Board for a review hearing on August 5, 2021 and was represented by Attorney Benjamin Brooks. This was Mr. Abdul-Aziz's second appearance before the Board having been denied in 2015. The entire video recording of Mr. Abdul-Aziz's August 5, 2021 hearing is fully incorporated by reference to the Board's decision.

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 a suitable candidate for parole.

Reserve to a Long-Term Residential Program (LTRP) after completion of 18 months in lower security. Mr. Abdul-Aziz was 16-years-old at the time of the murder of Stephen Lanigan. He has been incarcerated for over 36 years. During the hearing he presented as forthcoming and remorseful. He has completed 240 programs from which he appears to have benefitted. He

¹ Chair Moroney was recused.

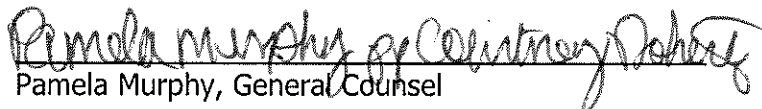
has also earned his General Equivalency Diploma. At the time of the hearing, he had been in minimum security for five months. His adjustment has significantly improved since he became eligible for parole pursuant to *Diatchenko*. The Board considered the expert opinion of Dr. Lockwood dated March 22, 2022, who provided an opinion regarding his age history, trauma, and the relationship to the offense.

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.*

In forming this opinion, the Board has taken into consideration Mr. Abdul-Aziz'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. Abdul-Aziz's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Abdul-Aziz's case, the Board is of the opinion that Mr. Abdul-Aziz is rehabilitated and merits parole at this time.

Special Conditions: Reserve to Long-Term Residential Program (LTRP) for six months; Waive work for two weeks or program; Curfew must be at home between 10 p.m. and 6 a.m.; ELMO-electronic monitoring; Supervise for drugs; testing in accordance with agency policy; Supervise for liquor abstinence; testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact or association with STG; No contact or association with co-defendants; No contact with victim's family; Must have a substance abuse evaluation – adhere to plan; Must have mental health counseling for adjustment/transition, anxiety, depression, PTSD and anger management and healthy relations; AA/NA at least 3 times/week; Mandatory – may have contact with Mark James.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.


Pamela Murphy, General Counsel


Date