



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

**PAROLE BOARD**

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**RECORD OF DECISION**

**IN THE MATTER OF**

**MARIO GONZALEZ**  
**W96938**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** January 30, 2024

**DATE OF DECISION:** April 29, 2024

**PARTICIPATING BOARD MEMBERS:** Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse

**VOTE:** Parole is denied with a review in 1 year from the date of the hearing.

**PROCEDURAL HISTORY:** On August 5, 2010, after a jury trial in Suffolk Superior Court, Mario Gonzalez was found guilty of first-degree murder and sentenced to life in prison without the possibility of parole. Following an appeal, Mr. Gonzalez's conviction was reduced to second-degree murder, thereby giving him the possibility of parole.

On January 30, 2024, Mr. Gonzalez appeared before the Board for an initial hearing. He was not represented by an attorney. The Board's decision fully incorporates, by reference, the entire video recording of Mr. Gonzalez's January 30, 2024 hearing.

**STATEMENT OF THE CASE:** On February 14, 2009, 29-year-old Mario Gonzalez, his girlfriend, Luz Forty, and her mother celebrated Valentine's Day together at a local bar. At approximately 1 a.m., the parties got into a cab. Mr. Gonzalez and Ms. Forty had the driver drop off Ms. Forty's mother before taking them to Mr. Gonzalez's Boston apartment. At approximately 3:15 a.m., Mr. Gonzalez called 911 and reported that an unknown person had entered his apartment and stabbed his wife. When police and EMTs arrived minutes later, they found Ms. Forty lying on a bed, bleeding heavily from six stab wounds to her shoulders and chest. While she was being rushed to the hospital with life-threatening injuries, Ms. Forty advised that her husband was her assailant. Hours later, she died from her injuries.

Upon questioning, Mr. Gonzalez reported that he had arrived home from drinking at a bar to find his front door open and Ms. Forty lying on the bed in a pool of blood. He stated that Ms. Forty had told him that someone had come into the house, demanded money, and stabbed her. When asked about an injury to his face, Mr. Gonzalez claimed it was a result of a fight that he had been in three days earlier. Mr. Gonzalez was eventually taken to the police station and placed in a holding cell. From inside the cell, Mr. Gonzalez told an officer that he "was the one that got hit with a beer bottle in the face." The officer then asked Mr. Gonzalez what really happened, and Mr. Gonzalez stated that when he got home from the bar, he got in a fight with Ms. Forty about his drinking. The argument then escalated, and Ms. Forty hit him in the face with a beer bottle, pulled out a folding knife, and charged at him. Mr. Gonzalez claimed that he twisted the knife away from Ms. Forty and then stabbed her in the back several times.

**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 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 incarcerated individual'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 incarcerated individual'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 incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual'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:** Any decision regarding parole release for an individual serving a life sentence shall be by a majority of the full Board. 120 CMR 301.06. Having not achieved a majority vote, parole is denied with a review in 1 year from the date of the hearing.

**Board Member 1:** Subject accepted responsibility for his actions and is remorseful. Subject identified alcohol as a contributing factor in this offense and has remained alcohol free. LSCMI low.

**Board Member 2:** Deny 2 years. Mr. Gonzalez is encouraged to engage in rehabilitative programming to help him develop insight into the behavior that led to his incarceration. Subject would benefit from domestic violence or similar program.

**Board Member 3:** Reserve to ICE detainer. Completed programming to address violence and has remained sober throughout commitment. Presents with remorse.

**Board Member 4:** Concur with Board Member 3

**Board Member 5:** Deny, review in 2 years. Subject's programming has been minimal. Would benefit from domestic violence and or healthy relationships programming, his version was inconsistent with the official version.

**Board Member 6:** Deny review in 2 years; however, will reconsider when subject can demonstrate that he has insight into his domestic violence history and submits plan to address this need area.

Suffolk County Assistant District Attorney Montez Haywood spoke in opposition to parole.

*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

4/29/24  
Date