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# *The Commonwealth of Massachusetts*

## *Executive Office of Public Safety*

### PAROLE BOARD

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Josh Wall  
Chairman

### **DECISION**

#### **IN THE MATTER OF**

#### **MARTINE PRESSAT**

**F80000**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** October 16, 2012

**DATE OF DECISION:** February 19, 2013

**PARTICIPATING BOARD MEMBERS:** Cesar Archilla, Dr. Charlene Bonner, Sheila Dupre, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

**DECISION OF THE BOARD:** Parole is denied with a review in five years. The decision is unanimous.

### **I. STATEMENT OF THE CASE**

In December 1997, Dr. John Weil was a 77-year-old retired child psychiatrist who lived with his wife, Dr. Geraldine Weil, in an apartment in Westwood. Geraldine, a retired psychologist, was an elderly stroke patient who was unable to walk, speak, or feed herself. Due to his own frailty and his Parkinson's disease, Dr. John Weil could not care for her himself and relied on 24-hour assistance from home health aides. Martine Pressat was one of the home health aides who worked weekends assisting the Weils in their Westwood apartment.

On Friday, December 5, 1997, Dr. John Weil met with his accountant and they discovered that Martine Pressat had been stealing money from the Weils. The scheme was simple: Ms. Pressat stole checks that she made out to herself and forged John Weil's signature. She forged at least five large checks which resulted in a total theft of \$43,000 from John Weil's bank account. Dr. Weil planned to confront Ms. Pressat during her weekend shift with his discovery of the thefts.

Sometime on Sunday, December 7, 1997, Martine Pressat killed Dr. John Weil in his bedroom. After the killing, she closed the door and left him to be found by the home health aide on the next shift. Dr. Geraldine Weil was in her bedroom at the time of the killing, but her severely diminished physical condition and inability to speak prevented her from giving any information about the killing.

The sequence of events is unknown but the injuries and cause of death were established at autopsy. There were multiple abrasions and contusions to the face and inside the mouth, severe blunt trauma and fracture to the internal neck structures, petechial hemorrhages over both eyelids, one rib fracture, and deep muscle hemorrhage over the left shoulder, right elbow, and neck. The medical examiner documented the neck injuries: "dissection of the strap muscles of the neck reveals diffuse and extensive intramuscular and intrafascial hemorrhage throughout all layers; there is hemorrhage into the right lobe of the thyroid gland; there is a complete fracture of the base of the left superior horn of the thyroid cartilage; there is extensive hemorrhage tracking up and down the carotid sheath; there is diffuse and extensive intramuscular hemorrhage along the right paravertebral muscles of the middle and lower cervical vertebrae." The cause of death was severe blunt neck trauma.

The case went to trial. The prosecution argued to the jury that Dr. Weil confronted Martine Pressat about the discovered thefts and she beat and choked him to death in order to prevent him from notifying the police. Ms. Pressat testified and claimed self-defense. She admitted that she stole approximately \$40,000 and that Dr. Weil confronted her and stated he planned to report the thefts. She said she had a physical relationship with Dr. Weil and that she told him if he called the police she would tell them about that relationship. She claimed that Dr. Weil got angry and attacked her by grabbing her and then putting his hands "under her neck." She said they fell to the ground and Dr. Weil stayed on top of her by pressing his knee against her chest while he continued to choke her. While lying on her back, she punched back several times and then grabbed a shoe horn that was within her reach and struck Dr. Weil once with the shoe horn, causing him to fall off of her as if he passed out. She testified that she grabbed his neck only once, using just one hand, when they were standing up and Dr. Weil was choking her. She admitted that she had no bruises, marks, or injuries (this confirmed police testimony that they observed no bruises or marks on Ms. Pressat). She admitted that on the night of the murder Dr. Weil had "very, very long" fingernails, but said he grabbed her neck in some manner that left no scratches or cuts. She admitted that Dr. Weil was a frail man and that "most of the time" he had "quite a bit of shaking in his hands" due to Parkinson's. Dr. Weil was 5'9" and weighed 138 pounds. Ms. Pressat testified that she is 5'1" and weighed 104 pounds.

The jury convicted Martine Pressat of second degree murder on September 15, 2000. She was also convicted of five counts of larceny. The Appeals Court denied her appeal. She filed a motion for new trial in 2010 which was denied. The Appeals Court affirmed that denial in September 2012.

## **II. PAROLE HEARING ON OCTOBER 16, 2012**

Martine Pressat appeared for her initial parole hearing after 15 years of incarceration. She was represented by student attorney Mia Jackson. Despite the jury verdict of second degree murder, she asserted at the hearing that she acted in self-defense after she was attacked by the elderly John Weil. Ms. Pressat provided the following narrative about her stealing: she began working for the Weils in January; at the end of April "he started writing me extra checks;" one Sunday "I asked for a bigger amount, he said he didn't have it but I saw his bank statement and saw that he lied to me;" "because he lied to me I felt I was owed" extra money; she stole over \$40,000 by writing herself checks and used the money to pay bills and buy clothes; sometime in the spring Dr. Weil initiated a "physical relationship that lasted until the incident."

When asked to describe the killing, Ms. Pressat gave the following explanation: "He called me into his bedroom Sunday evening; I had worked 16 hours Sunday; he said he would call the police about the stealing; I said I would tell the police about us; he grabbed me from behind with his hand around my neck; we struggled and we both fell to the floor; he put his knee on my chest and pulled my hair; I hit [punched] his nose; he choked me so I reached for the nearest thing which was a shoe tree; I swung the shoe tree and hit him; he was on top of me when I hit him; I hit [punched] him a few times but not in the ribs; my hands were around his neck only when we were standing up and when his hands were around my neck; I did not have my hands on his neck after we fell; I barely touched his neck; the neck damage was caused when I swung the shoe tree."

The inmate said that "I never had any problems with anyone before this incident; I had no other fights; I am not a violent person." She said that she "has learned to be a better person" in prison after taking several programs, including Domestic Violence, Healthy Relationships, and Self Esteem. Apparently she last participated in a rehabilitative program to address the causes of her criminal thinking and criminal behavior in 2003. Ms. Pressat has taken courses offered by Boston University, works in Industries, and attends church and Bible study. She has four disciplinary reports and two warnings.

Ms. Pressat lived in Haiti until age 19 when she came to Florida with several siblings after graduating from high school. After some time living in Connecticut, she moved to Boston in 1990. She married in 1995 to a man who worked as a janitor at Massachusetts General Hospital. He was unemployed at the time of the murder and took care of their only child. She is now divorced. She worked full time as a home health aide.

Four people spoke in support of parole, including the inmate's brother and sister. Two of John Weil's nieces and a nephew-in-law spoke in opposition to parole. Norfolk Assistant District Attorney Marguerite Grant also spoke in opposition to parole.

Family members of Dr. Weil provided significant information about Ms. Pressat's history. Ms. Pressat testified that prior to this incident she had worked in many other homes as a health aide without incident or problems. The Weil family revealed that Ms. Pressat had been fired from previous home health aide employment because she physically abused an elderly client. The Parole Board received confirmation of these events after the hearing.

Parole Board Members did not accept Martine Pressat's version of events. First, the jury rejected the story. Second, on its face the story is very unlikely. Dr. Weil was a small, frail man with Parkinson's disease. He was a mild-mannered gentleman who was known for his commitment to his profession and his devotion to his young patients. He had throughout his life been known for good character and good conduct in his professional and personal life. There is nothing in his background or current circumstances that would suggest he would pursue a physical relationship with Ms. Pressat or that he would violently attack her. Third, there are specific facts which undermine her claims: she had a motive to harm Dr. Weil; he had numerous injuries at autopsy, including neck injuries indicative of a focused and repetitive attack on the neck; the injuries strongly indicate that Ms. Pressat was the aggressor who held the upper hand throughout the assault; Ms. Pressat describes a furious and sustained attack by the frail Dr. Weil yet she had not one bruise or mark on her; and all her actions after the killing are consistent with a person who knows she has committed a homicide. The fact that Ms. Pressat was caught once before physically abusing an elderly client also assists the Parole Board in evaluating the likelihood that Ms. Pressat attacked Dr. Weil.

Ms. Pressat's hearing testimony differed from her trial testimony in some important respects. First, she changed the object used from a shoe horn to a shoe tree. Evidently, the object was never recovered and it is unclear what Ms. Pressat did with the object. Second, she vehemently insisted at the hearing that Dr. Weil was not frail. At trial, the prosecution produced evidence of the elderly man's frailty and Ms. Pressat admitted in her testimony that he was frail.

### **III. DECISION**

Martine Pressat took a self-destructive approach at her parole hearing. Rather than telling the truth about the murder, she offered a false and self-serving story about John Weil's death that the jury rejected. The Parole Board accepts the jury verdict of second degree murder and evaluates Ms. Pressat's conduct and testimony accordingly. Because Ms. Pressat is not truthful in her claim of self-defense, it makes it even more difficult to believe the unlikely details of the rest of her story, including that she had a physical relationship with the victim. Additionally, Ms. Pressat chose not to reveal her prior conduct of assaulting an elderly client.

Perhaps Martine Pressat believes she needs to stick with the original story she told the jury, but this misunderstands the process of rehabilitation, which encourages an inmate to re-evaluate conduct with candid self-appraisal and recognition of fault. Ms. Pressat has very limited participation in rehabilitative programs directed at attitudes and thinking, which may be one explanation for her misleading testimony. With the benefit of programs, re-evaluation should lead to more insight and reformed behavior. Despite completing educational, vocational, and religious programs, Ms. Pressat does not show much progress towards rehabilitation. Because she does not admit to anger, violence, impulsiveness, or lack of empathy, the Parole Board cannot conclude that she has addressed those issues. Martine Pressat is not rehabilitated, and for that reason would be likely to re-offend if released. Her parole is incompatible with the welfare of society. Parole is denied with a review in five years.

The Parole Board encourages Ms. Pressat to use her program work to look more honestly at her own conduct and character as an important step in reforming her behavior. This will require rehabilitative programs that address thinking and behavior. Ms. Pressat needs to understand that at future parole hearings the Parole Board will always scrutinize her truthfulness in evaluating rehabilitation and suitability for community supervision.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing. This signature does not indicate authorship of the decision.*

Josh Wall  
Josh Wall, Chairman

February 19, 2013  
Date