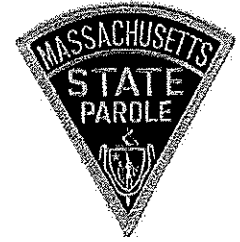


*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*



**PAROLE BOARD**

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*Natick, Massachusetts 01760*

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**Gloriann Moroney**  
*Chair*

**Kevin Keefe**  
*Executive Director*

**DECISION**

**IN THE MATTER OF**

**MICHAEL MORAN**

**W89858**

**TYPE OF HEARING:** **Initial Hearing**

**DATE OF HEARING:** **January 11, 2022**

**DATE OF DECISION:** **September 29, 2022**

**PARTICIPATING BOARD MEMBERS:** Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, 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 the 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 that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in 3 years from the date of the hearing.<sup>1</sup>

**I. STATEMENT OF THE CASE**

On October 29, 2003, after a jury trial in Plymouth County Superior Court, Michael Moran was found guilty of second-degree murder in the death of his infant daughter, Viktoria. He was sentenced to life in prison with the possibility of parole.

On September 5, 2003, 21-year-old Michael Moran was living with his girlfriend and their two children. On that date, the children's mother took their older daughter to the doctor and, at Mr. Moran's insistence, left their seven-week-old daughter, Viktoria, in his care. Upon return, Viktoria's mother checked on her daughter, who appeared to be fine. Later that evening, however, Viktoria stopped breathing. Paramedics arrived and transported Viktoria to the

<sup>1</sup> One Board Member voted to deny parole with a review in 2 years.

hospital, where she died. During questioning, Mr. Moran told police that he "slammed" Viktoria into her crib and her head hit the crib railing.

## **II. PAROLE HEARING ON JANUARY 11, 2022<sup>2</sup>**

Michael Moran, now 40 years-old, appeared before the Parole Board for his initial parole hearing on January 11, 2022. He was represented by Attorney Deidre Thurber. Mr. Moran postponed his 2018 initial hearing. When Board Members questioned him about the governing offense, Mr. Moran stated that he was "stressed out and angry" and had no one to talk to. He and Viktoria's mother were staying with his father, but his father was trying to sell the house. Mr. Moran explained that he had a hard time maintaining employment for more than three consecutive months. He was worried and ashamed that they might become homeless. When a Board Member asked if he intentionally slammed Viktoria's head against the crib, Mr. Moran answered, "Not intentionally, no." He explained how he walked to the crib with Viktoria in his hands and put her down with "a very quick force... I threw my hands down really, really, fast, really hard." Mr. Moran claimed that he did not intend for Viktoria to hit her head.

Board Members noted that Mr. Moran has not received any violent disciplinary reports during his incarceration. He completed seven programs prior to his hearing and earned his Hi-Set (G.E.D.) in 2017. Mr. Moran stated that he completed Correctional Recovery Academy, Alternatives to Violence, Criminal Thinking, and a Domestic Violence course. The Board considered testimony and a report submitted by Dr. DiCataldo, who stated that Mr. Moran has an IQ of about 70 and suffers from ADD, PTSD, and (possibly) fetal alcohol syndrome. Dr. Cataldo believed that Mr. Moran's youth and situational stress contributed to the commission of the governing offense. He expressed concern that Mr. Moran's plan to move to Florida immediately upon release was less than ideal.

Two of Mr. Moran's family members testified in support of parole. Three family members testified in opposition to parole. Plymouth County Assistant District Attorney Jennifer Cipolletti testified, and submitted a letter, in opposition to parole.

## **III. DECISION**

The Board is of the opinion that Mr. Moran has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Moran was seen for his initial hearing. On September 5, 2003, Mr. Moran struck his seven-week-old daughter Viktoria's head on her crib, causing her death. The Board reviewed the expert opinion of Dr. DiCataldo. Mr. Moran continues to minimize his actions that led to the death of Viktoria. Mr. Moran should pursue programming to gain insight into victim empathy, as well as anger control. Mr. Moran's re-entry plan does not address his need areas.

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

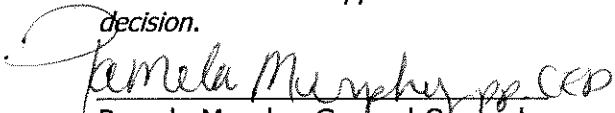
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<sup>2</sup> The entire video recording of Mr. Moran's January 11, 2022 hearing is fully incorporated by reference to the Board's decision.

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

Mr. Moran's next appearance before the Board will take place in three years from the date of this hearing. During the interim, the Board encourages Mr. Moran 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