



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760



Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Terrence M. Reidy
Secretary

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

Tina M. Hurley
Chair

Daniel Nakamoto
Acting Executive Director

RECORD OF DECISION

IN THE MATTER OF

MIGUEL VALENTIN
W55389

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **June 13, 2023**

DATE OF DECISION: **September 7, 2023**

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse

STATEMENT OF THE CASE: On December 14, 1992, Miguel Valentin and two co-defendants shot and killed 18-year-old Alexander Rodriguez in Jamaica Plain. Mr. Valentin was 17 years old at the time of the offense. On November 4, 1993, in Suffolk Superior Court, Mr. Valentin pleaded guilty to murder in the second degree and was sentenced to life imprisonment with the possibility of parole. He was also received a concurrent 4-5 year sentence for possession of a firearm.

Mr. Valentin appeared before the Board on June 13, 2023, for a review hearing. He was represented by Attorney Michael Nam-Krane. Parole was denied following prior hearings in 2007, 2013, 2018, and 2021. The entire video recording of Mr. Valentin's June 13, 2023 hearing is fully incorporated by reference into 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 that the inmate is a suitable candidate for parole.

Parole reserve on/after 18 months in lower security to Dahl House, Meridian House, or Hanton House. Mr. Valentin was 17 [years old] when he shot and killed an individual believed to be a rival gang member. Since the last hearing, he completed another cycle of Alternatives to Violence, he completed the welding program, Jericho Circle, and he remains in GPMP. He has demonstrated a positive adjustment since last hearing. He remains committed to mental health treatment. [The] Board reviewed most recent forensic mental health report by Dr. Laurie Guidry, who provided a comprehensive evaluation informing [the] Board of his current mental health diagnosis, his current treatment needs, and recommendations to support such needs in the community. Dr. Guidry outlined his course of incarceration, gains in treatment, and self-improvement.

Mr. Valentin has a significant support system. 24 individuals were present for his hearing. Testifying in support of his parole were Kathy Levins, LICSW, who provided a detailed, comprehensive release program, Dr. Guidry, and two family members. No one testified in opposition. Subject will have a gradual step-down to a residential treatment program that will address his needs. [The] Board agrees with plan submitted by Jacquelyn Oppler, LICSW, subsequent to hearing. During remainder of incarceration, Mr. Valentin will be required to participate in classification process, and maintain a positive adjustment, and continue to comply with all treatment recommendations.

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 in Mr. Valentin's case 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.* The Board also recognizes the petitioner's right to be represented by counsel during his appearance before the Board. *Id.* at 20-24. In forming this opinion, the Board has taken into consideration Mr. Valentin'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. Valentin's risk of recidivism. After applying this standard to the circumstances of Mr. Valentin's case, the Board is of the unanimous opinion that Mr. Valentin is rehabilitated and, therefore, merits parole at this time, subject to special conditions.

Special Conditions: Parole reserve on/after 18 months in lower security to LTRP: Dahl House, Meridian House, or Hanton House; Waive work for LTRP; Curfew – Must be at home between 10PM & 6AM; Electronic monitoring; Must take prescribed medication; 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 with gangs/gang

activity; No contact with victim's family; Must have mental health counseling for PTSD, ADHD, major depression, adjustment, borderline traits.

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

09/07/2023

Date