



The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**OTIS MILES**

**W61326**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** December 5, 2017

**DATE OF DECISION:** September 24, 2018

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Lucy Soto-Abbe

**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 not a suitable candidate for parole.<sup>1</sup> Parole is denied with a review scheduled in three years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On September 24, 1996, after a trial by jury in Suffolk Superior Court, Otis Miles was found guilty of the second degree murder of Anthony Evans and sentenced to life in prison with the possibility of parole. Mr. Miles unsuccessfully appealed his conviction.<sup>2</sup> Mr. Miles was also convicted of the unlawful possession of a firearm (3<sup>rd</sup> offense) and received a 7-10 year concurrent sentence.

<sup>1</sup> One Board Member voted to reserve parole upon completion of 18 months in lower security and after completion of Anger Management or similar program to address anger/violence.

<sup>2</sup> *Commonwealth v. Otis Miles*, 46 Mass. App. Ct. 216 (1999), cert. denied, 429 Mass. 1103 (1999)

On the night of October 7, 1994, Otis Miles (age 29) was involved in an altercation with Anthony Evans (age 22) on Blue Hill Avenue in the Grove Hall neighborhood of Boston. After the altercation ended, Mr. Miles returned a few minutes later, with a firearm, and shot and killed Mr. Evans. Mr. Miles was identified by witnesses and eventually arrested.

## **II. PAROLE HEARING ON DECEMBER 5, 2017**

Otis Miles, now 53-years-old, appeared before the Parole Board for a review hearing on December 5, 2017. He was not represented by counsel. Mr. Miles had been denied parole after his initial hearing in 2009, as well as after his review hearings in 2012 and 2014. In his opening statement to the Board, Mr. Miles expressed his remorse for killing Anthony Evans and apologized to Mr. Evans' family. The Board noted that prior to the murder, Mr. Miles had three gun convictions, as well as a conviction for possession of cocaine with intent to distribute. When the Board asked Mr. Miles about his criminal history, Mr. Miles claimed that he "picked up a bad habit [of carrying guns] and kept it too long." Mr. Miles said he started carrying guns when he was 16-years-old and started dealing drugs when he was 18-years-old. Mr. Miles said that he was involved in approximately 5 shootouts with people in his neighborhood, and that he shot one person in the foot during a fight at a party. Mr. Miles said he served 6 years on his 5-10 year concurrent sentence for the firearm and drug dealing convictions. He recognizes that he terrorized his community and promoted a criminal lifestyle. Mr. Miles stated that he would like to return to the community as an asset, rather than as a problem.

The Board questioned Mr. Miles about the details leading up to the murder. Mr. Miles said that he was sitting on his girlfriend's stoop, when he got into an argument with Mr. Evans. Mr. Miles went up to his girlfriend's apartment to cool off, checked to see that Mr. Evans had left the area, and then left the apartment to go home. Mr. Miles saw Mr. Evans, and 4 other people, turn the corner onto Blue Hill Avenue. According to Mr. Miles, Mr. Evans asked, "You know what time it is?" Mr. Miles said he over reacted by saying, "Yeah, I know what time it is," and then shooting Mr. Evans. The Board asked Mr. Miles whether he still maintained that he acted in self-defense. Mr. Miles said that he always knew it was not self-defense, but told the Board otherwise in order to be consistent with his testimony at previous parole hearings and at trial.

When the Board asked about his institutional history, Mr. Miles stated that he works in Utilities at MCI-Norfolk. His last disciplinary report was in 2005 or 2006, and his last violent disciplinary report was around 2000. Mr. Miles said that he has been sober since 1987. He also said that he earned his Bachelor's degree from Boston University, while incarcerated. He is currently taking a Path to Happiness course, participates in Jericho Circle, and recently completed the Criminal Thinking program (as well as completing other programs in the past). Mr. Miles is on the waiting list for the Restorative Justice retreat and a Leadership Skills course. For a parole plan, Mr. Miles is asking the Board to approve a step-down to lower security and then to a pre-release or halfway house. Mr. Miles said that after his release, he would like to continue his education and get a Master's in Business Administration. In addition, he would like to work with youths by helping them avoid the mistakes he made in life. Mr. Miles said he has strong support from family and friends and hopes to find work as a barber, welder, roofer, or warehouse worker.

Mr. Miles' family attended the hearing, testified, and submitted letters in support of parole. Members of the Evans family attended the hearing, and submitted letters in opposition to parole. One member of the Evans family testified in opposition. Suffolk Assistant District Attorney Charles Bartoloni testified in opposition to parole. Boston Police Commissioner William Evans submitted a letter in opposition to parole.

### **III. DECISION**

The Board is of the opinion that Otis Miles has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board remains concerned with Mr. Miles' lack of insight into the role he played in ending Anthony Evans' life. He should continue to invest in his rehabilitation.

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

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

  
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Gloriann Moroney, General Counsel

9/24/18  
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Date