

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



**PAROLE BOARD**

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**Gloriann Moroney**  
*Chair*

**Kevin Keefe**  
*Executive Director*

**RECORD OF DECISION**

**IN THE MATTER OF**

**PHAI YOU  
W59378**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** January 21, 2021

**DATE OF DECISION:** May 13, 2021

**PARTICIPATING BOARD MEMBERS:** Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, Colette Santa

**STATEMENT OF THE CASE:** On October 5, 1995, in Middlesex Superior Court, Phai You pleaded guilty to the second-degree murder of Bunra Oeur and was sentenced to life in prison with the possibility of parole. Mr. You also pleaded guilty to unlawful possession of a firearm and received a 3-5-year concurrent sentence.

Mr. You appeared before the Parole Board for a review hearing on January 21, 2021 and was represented by Northeastern University Law students Shayna Scott and Robin MacFadden. This was Mr. You's fourth appearance before the Board, having been denied in 2009, 2014, and 2018. The entire video recording of Mr. You's January 21, 2021 hearing is fully incorporated by reference to 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 by unanimous vote that the inmate is a suitable candidate for parole. Reserve to his United States Immigration and Customs Enforcement (ICE) detainer. Mr. You has served 27 for the murder of rival gang member Bunra Oeur. Mr. You's renunciation from [named STG] was accepted by the Department of Correction in 1998. Since his last hearing he has completed several programs to include Jericho Circle, Alternative to Violence, Restorative Justice Retreat and Victim Offender Education Group. He has remained active in Prison Fellowship, bible study, NA/AA and completed the course work for a Commercial Driver's License. Mr. You has a strong support network that is committed to assisting him as he reintegrates.

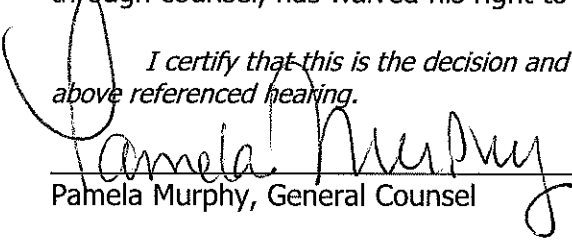
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society."

In forming this opinion, the Board has taken into consideration Mr. You'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. You's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. You's case, the Board is of the unanimous opinion that Mr. You is rehabilitated and merits parole at this time.

**Special Conditions:** Reserve to his United States Immigration and Customs Enforcement (ICE) detainer; Approved home plan before release; Waive work for two weeks; Must be at home between 10 p.m. and 6 a.m.; ELMO-electronic monitoring; 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 victim(s) family; Must have mental health counseling for adjustment/transition.

**IMPORTANT NOTICE:** The above decision is an abbreviated administrative decision issued in an effort to render an expedited resolution in response to the COVID-19 pandemic. Mr. You, through counsel, has waived his right to a full administrative decision.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.*

  
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Pamela Murphy, General Counsel

5/13/2021  
Date