



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

QUASIM HASTINGS

W83321

TYPE OF HEARING: Review Hearing

DATE OF HEARING: August 24, 2023

DATE OF DECISION: December 12, 2023

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

VOTE: Parole is denied with a review in three years from the date of the hearing.

PROCEDURAL HISTORY: On March 12, 2004, in Berkshire Superior Court, Quasim Hastings pleaded guilty to the second-degree murder of David Killbary and was sentenced to life in prison with the possibility of parole. In addition, on November 13, 2015, in Ayer District Court, Mr. Hastings received two consecutive 2.5-year sentences for assaulting two correction officers. Parole was denied following an initial hearing in 2019. Mr. Hastings, 38 years old, appeared before the Board for a review hearing on August 24, 2023. He was represented by Attorney Sharon Dehmand. The Board's decision fully incorporates by reference the entire video recording of Mr. Hastings' August 24, 2023 hearing.

STATEMENT OF THE CASE: On the night of April 15, 2003, Mr. Hastings (then 18 years old) and co-defendant Milton Gasson, Jr. were parked at a convenience store in Pittsfield. While Mr. Hastings and Mr. Gasson were sitting in their car, David Killbary (20 years old) and others arrived, pulling up next to them. A verbal argument ensued between Mr. Hastings, Mr. Gasson, and Mr. Killbary. The parties exited their respective cars, and an altercation ensued. At some point, Mr. Hastings shot Mr. Killbary once in the chest. Mr. Killbary succumbed to his injuries at the hospital. Mr. Hastings and Mr. Gasson were later identified and apprehended by police.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable

probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society.” M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate’s institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate’s risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate’s testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

DECISION OF THE BOARD: This was Mr. Hastings’ second appearance before the Board. Mr. Hastings has had a tumultuous adjustment during this incarceration. He has accrued approximately 66 sanctioned disciplinary reports, including serious assaults on two correction officers in 2015. He was subsequently charged and convicted of two counts of Assault and Battery, for which he received a consecutive sentence. In addition, many of Mr. Hastings’ disciplinary reports consist of insolence, threatening behavior, and violence. The Board did consider Mr. Hastings’ mental health history in relation to his conduct. Mr. Hastings has had numerous Bridgewater State hospitalizations for various reported symptoms and behaviors ranging from suicidal ideation, self-injurious behavior, to behavioral dysregulation. He thus has had many mental health evaluations which have resulted in varying clinical impressions and recommendations. He has been diagnosed and treated for mood disorders, other specified stress-related disorder, substance use disorders, and a range of personality disorders. Mr. Hastings’ most recent Bridgewater State Hospital evaluations describe him as primarily manipulative, feigning mental illness, and demonstrating maladaptive personality traits, rather than symptoms of a major mental illness. The Board also reviewed a more recent psychological evaluation conducted by Dr. Robert Kinscherff (8/2/2019), who provided his clinical impressions regarding Mr. Hastings’ past and current mental health issues, as well as recommendations that the Board considered. Included in Dr. Kinscherff’s recommendations for Mr. Hastings is to work toward transitioning out of the RTU, to general population, where he can demonstrate his progress in a less restrictive setting. All evaluators agreed that Mr. Hastings has experienced significant trauma in his life that has contributed to his mental health issues. Mr. Hastings also acknowledged that he has been manipulative at times, which has impeded his ability to gain an accurate diagnosis and treatment plan. Mr. Hastings reported that he now understands the importance of being forthcoming and fully committed to his mental health treatment. The Board noted his progress in his insight and effort in working toward consistent behavioral stabilization. Mr. Hastings continues to reside in the RTU where he has access to immediate crisis intervention in a secured setting. The Board agrees with Dr. Kinscherff’s recommendation for Mr. Hastings to work toward transitioning to general population, provided that is clinically indicated. The Board encourages Mr. Hastings to establish a release plan that can meet his needs and the interests of public safety. The Board considered the testimony of Dr. Robert Kinscherff and a member of Mr. Hastings’ family, who also read letters of support from his mother and brother. The Board also considered the testimony of a member of the victim’s family, a family friend, and an Assistant District Attorney from Berkshire County who spoke in opposition to parole.

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

12/12/2023

Date