



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



PAROLE BOARD

*12 Mercer Road
Natick, Massachusetts 01760*

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

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Terrance Reidy
Secretary

Gloriann Moroney
Chair

Kevin Keefe
Executive Director

RECORD OF DECISION

IN THE MATTER OF

**SANTOS DIAZ
W88655**

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: August 5, 2021

DATE OF DECISION: December 6, 2021

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

STATEMENT OF THE CASE: On November 10, 2006, in Franklin Superior Court, Santos Diaz pleaded guilty to second-degree murder and was sentenced to life imprisonment with the possibility of parole. On that same date, he pleaded guilty to assault and battery with a dangerous weapon and received a 725-day sentence in the house of correction. His life sentence was ordered to be served from and after his county sentence.

On November 12, 2004, Mr. Diaz along with two other co-defendants attacked 19-year-old Anthony Alves over a dispute that took place at a party in Greenfield. The three men took turns stabbing Mr. Alves with a sword knife and punching him resulting in Mr. Alvez's death.

Mr. Diaz appeared before the Parole Board for an initial hearing on August 5, 2021 and was represented by Northeastern University Law students Alexander August and Sreenidhi Kotipalli. The entire video recording of Mr. Diaz's August 5, 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 concluded that the inmate is a suitable candidate for parole.¹ Reserve to Long Term Residential Program or Dismas House but not before one year in lower security. Mr. Diaz is serving a sentence for the murder of

¹ Five Board Members voted to grant parole, and one Board Member voted to deny parole.

Anthony Alves along with three co-defendants when he was 22 years old. Mr. Diaz has completed an extensive amount of programming. He appears to have benefitted from his investment in rehabilitation. Mr. Diaz has had an excellent adjustment throughout his years of incarceration and worked on pursuing his education. Mr. Diaz presented a solid parole plan and has had a good network in the community that will help him as he reintegrates. Based risk assessments, he is a low risk to re-offend.

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. Diaz'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. Diaz's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Diaz's case, the Board is of the opinion that Mr. Diaz is rehabilitated and merits parole after one year in lower security, and subject to special conditions.

Special Conditions: Reserve to Long Term Residential Program (LTRP) or Dismas House after one year in lower security (must complete program); Waive work for two weeks or program; Curfew 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 evaluation, abide by recommendations; Must have mental health counseling for adjustment/transition; AA/NA at least 3 times/week; Mandatory – pursue Hi-set if not obtained prior to release.

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



Pamela Murphy, General Counsel



Date