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Josh Wall  
Chairman

**DECISION**

**IN THE MATTER OF**

**STEVEN MATTOS**

**W60443**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** April 15, 2014

**DATE OF DECISION:** August 13, 2014

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, Tina Hurley, Lucy Soto-Abbe, Josh Wall

**DECISION OF THE BOARD:** After careful consideration of all relevant facts, including the nature of the underlying 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 writing, we are unable to grant a parole permit. While the inmate received a vote of 4-3 in favor of parole, that is one vote short of the two-thirds majority required by statute to grant parole. Accordingly, parole is denied and the review will be in one year from the date of the hearing. Board Members Bonner, Hurley, Soto-Abbe, and Wall voted in favor of parole.

**I. STATEMENT OF THE CASE**

On April 12, 1996, in Bristol Superior Court, Steven Mattos was convicted of murder in the second degree and sentenced to life in prison for the murder of Timothy Lamere, age 21. He was also convicted of leaving the scene of an accident resulting in death and received a concurrent one year sentence.

In the early morning hours of August 1, 1995, Mattos, then age 37, intentionally drove a 1979 Dodge pickup truck at and struck Mr. Lamere. Mr. Lamere suffered severe, and ultimately fatal, injuries. Mr. Lamere was taken to an area hospital and then flown to Brigham and Women's Hospital in Boston where he died as a result of his injuries.

Mattos had spent the evening drinking beer at several locations in the New Bedford, and he and a friend left one bar in search of cocaine. Mattos, while driving his business partner's truck, engaged in a heated argument with a group of people which included Mr. Lamere. Characterized as a "road rage incident" in the previous decision denying parole, the argument concerned Mattos' attempts to navigate the truck past the group of people who were obstructing his way.

After Mattos managed to get past the group of people, he turned the truck around, cut off a small car, and drove into a nearby gas station lot, traveling at an estimated speed of forty to fifty miles per hour. Lamere was standing on the sidewalk next to the gas station. After turning into the lot, Mattos gunned his engine and deliberately ran over Lamere. Witnesses in the truck stated that while this ordeal was ongoing, Mattos said, "I'm going to get these [expletive]." Lamere was thrown approximately forty feet through the air and landed on an adjacent road. Mattos fled the scene.

## **II. CRIMINAL HISTORY**

Steven Mattos had a minor criminal history before the murder. In 1982, Mattos was arrested for possession of marijuana, malicious destruction of real property, and disorderly conduct, but he was not prosecuted. In 1985, Mattos paid a fine for disturbing the peace. Mattos has a criminal history in Georgia involving a 1978 offense for possession of marijuana. In addition, Mattos indicated he had an OUI conviction in New Hampshire in September of 1990 for which he was arrested for assault and resisting arrest. It appears that no further action was taken following his arrest.

## **III. INSTITUTIONAL HISTORY**

Steven Mattos has a total of four disciplinary reports on his record, three of which were for contraband issues, including possession of glue in 2004, razor blades in 2006, and a frozen block of water in 2008. In 1996, at the outset of his incarceration, Mattos incurred his first disciplinary report for refusing to stand for count. The 2008 disciplinary report for contraband is the most recent infraction. He currently receives good housing and work evaluations.

Mattos has engaged in institutional and educational programming. Mattos earned certificates from the Chaplain's Discussion Group, Basic Drafting Techniques, Second Thoughts Program, Prison Fellowship, Vocational Welding, Problem Solving & Thinking Skills, Boston University First Year, Men in Recovery, Parenting Program, Alternatives to Violence I & II, Fatherhood Graduate Maintenance Program, Emotional Awareness/Emotional Healing, Reentry Services Program, and AA/NA meetings since 2000 as well as the 12 Step Program.

## **IV. PAROLE HEARING ON APRIL 15, 2014**

Steven Mattos appeared for his second hearing seeking parole on a life sentence for second degree murder. After his initial hearing in 2011, parole was denied with a three year review. Mattos gave an opening statement in which he said, "I was justly incarcerated 18 years for murdering Mr. Lamere in anger; I had problems with substance abuse and anger; I didn't see the red flags; I had been arrested in Massachusetts, New Hampshire, and Georgia, but I had never been held accountable."

Mattos reflected on his initial parole hearing. "My performance at the last hearing was terrible. I minimized my actions and my role. I assigned much of the responsibility to the people I was with. I didn't show insight into controlling my anger and violence." He described his emotions and behavior on the night of the murder. "I initiated the whole problem; I spoke



out first; I escalated it. I had uncontrolled rage that night. I was 37 and should have known better. The victim did absolutely nothing that night. I started the confrontation by yelling out and he came in to help that person." Mattos said the murder was "the only time I flew into a blind rage." He did admit that "I lost control in New Hampshire when I got arrested for OUI and I got an assault charge for being angry with the police officer." In considering his anger problem, Mattos said, "I believe I have reformed my anger problem. Alternatives to Violence showed me steps and I use them in prison: re-frame, relax, react naturally."

In considering the causes of his behavior that night, Mattos identified substance abuse and anger. "Most of my anger came from childhood issues. I was picked on as a kid and I had feelings of anger, resentment, depression, and low self-esteem. It surfaced that night when I put alcohol in me; alcohol brought things to the surface. I had several beers at several different locations. Alcohol caused my emotions to be over-aggressive. I was driving everyone to get cocaine but I don't believe I was going to use any cocaine; I didn't like the drug; it was expensive and it didn't agree with me. I thought I was only a social drinker, but I am an addict."

Substance abuse programming has been an important part of Mattos' prison activity. "I have attended AA/NA for 14 years and I go three times a week. Men In Recovery was an important substance abuse program for me. It made me aware of my substance abuse problems. It taught me how to look for risks and triggers. Since my last hearing, I have gone over the coursework from Men In Recovery and I have stayed with AA/NA." Mattos also reported that since the last hearing he had completed Jericho Circle and ABLE Minds, had participated in the Restorative Justice Retreat, and had just started Violence Reduction. He said, "Jericho Circle helped me with an understanding of my feelings." Mattos commented that "I've submerged myself in rehabilitative efforts," and showed the Board a notebook "with all my notes from the programs I've taken."

Mattos has a good employment history. In the prison he works as a janitor. He said, "I have done that for years." He completed a welding program in prison and received a license. In the community, he worked in carpentry, framing, and sheetrocking. He also reported that he worked at Goodyear for eight years. In presenting his parole plan, Mattos said he had three people willing to hire him or connect him with an employer. He said that his family "is very much behind me, they are my main support; I can live with my sister or in one of my uncle's apartments."

Four people spoke in support of parole. Mattos' sister testified that "he has shown me how to care for other people; he gives me advice and tips from his programs that have helped me." John Lima, a middle school assistant principal and childhood friend, is a friend who said, "The last parole hearing was enlightening for him in the areas of addiction and anger." Reverend David Lima, a pastor and childhood friend, reported that he is part of "the South Coast Reentry Collaborative and those services we will make available for him; we have a comprehensive package" to assist him on parole.

The victim's brother, sister, niece, and daughter testified in opposition to parole. A letter from Timothy Lamere's mother was read. Bristol First Assistant District Attorney Thomas Quinn, who tried the case, spoke in opposition to parole. He said, "Two things stood out in the case: the anger involved and that it was a senseless case that happened over nothing."

In closing, Mattos said, "It's hard to compose myself after listening to the victim's family. I realize the impact I've had on them. I have submitted in my packet the prisoner's pledge to remember the impact. I have reformed my old ways of thinking and behavior."



## V. DECISION


Steven Mattos' uncontrolled anger fueled by alcohol led him to react to a simple disagreement by driving over and killing Timothy Lamere. He has been incarcerated for 18 years, during which time he has participated regularly in rehabilitative programs, with emphasis on programs dealing with substance abuse and anger. He has maintained employment and good conduct in the institution. If paroled, he would have strong support in the community which includes housing and employment options. A majority of Board Members concluded that the four goals of sentencing – punishment, deterrence, public protection, and rehabilitation – have been met. Mattos learned from his initial parole hearing, followed the instructions of the Board for additional rehabilitation, and appeared at this hearing with thoughtful answers and good insight. Consequently, the majority concluded that Mattos presents no current risk for violence and that he meets the legal standard for parole.

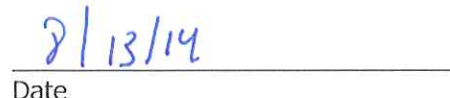
Chairman Wall and Board Members Bonner, Hurley, and Soto-Abbe voted to parole Mattos to a long term residential treatment program after one year in lower security at the Department of Correction (DOC) during which time he would have to maintain good conduct and comply with all DOC expectations for programs, activities, and employment. Parole conditions would have included supervision for drugs; liquor abstinence; no contact with the victim's family; substance abuse counseling; and AA at least three times per week with a sponsor.

However, Board Members Howard-Hogan, Dupre, and Coleman voted to deny parole with a review in two years. Board Members Howard-Hogan and Dupre urge Mattos to complete programming designed to address his anger issues, which included two programs for which Mattos was waitlisted at the time of the hearing. Board Member Coleman urged Mattos to engage further in programming, and to be prepared to address the Board's questions and offer more insight in a more forthright manner.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that, "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." Further, by statute, granting of parole is accomplished only when the Board Members by a two thirds majority vote to grant a parole, which did not occur. Accordingly, parole is denied. Given that a majority favored parole, the review will be in one year.

*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.*

  
Janis DiLoreto Smith, General Counsel

  
Date