

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF
TIMOTHY DEAL
W84556

TYPE OF HEARING: Review Hearing

DATE OF HEARING: December 17, 2020

DATE OF DECISION: June 23, 2021

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy¹

STATEMENT OF THE CASE: On November 23, 2004, after a jury trial in Suffolk Superior Court, Timothy Deal was found guilty of the second-degree murder of 26-year-old William M. Woods. He was sentenced to life in prison with the possibility of parole.

Mr. Deal appeared before the Parole Board for a review hearing on December 17, 2020 and was represented by Attorney Merritt Schnipper. This was Mr. Deal's second appearance before the Board, having been denied in 2016. The entire video recording of Mr. Deal's December 17, 2020 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 Interstate Compact Rhode Island to reside with his wife. Mr. Deal has served 18 years for the murder of William Wood. Mr. Deal was 17 years old at the time of the offense. The Board did consider Mr. Deal's age and maturity at the time of the offense, his vulnerability to negative influences and his capacity to change. Since his last hearing he has remained program compliant and transferred to lower security in July of 2019. He is currently enrolled in the General Maintenance Program and the NEADS program. In rendering their decision, the Board did consider testimony from Dr. Packer and the Forensic Evaluation provided to the Board. The evaluation provided the Board with additional information as it relates to his social and criminal history, mental status, current

¹ Chair Moroney recused.

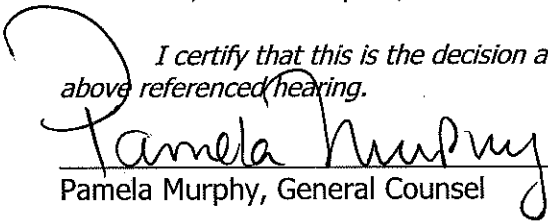
psychological functioning, and conclusion as to his risk to reoffend. Based upon his rehabilitative progress release on parole supervision meets the legal standard.

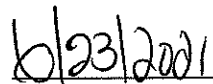
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." 120 C.M.R. 300.04. In the context of an offender convicted of first degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed the murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015): See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015). The factors considered by the Board include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.*

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

Special Conditions: Reserve Interstate Compact – Rhode Island; 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 substance abuse evaluation, adhere to plan; Must have mental health counseling for adjustment/transition.

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


Pamela Murphy, General Counsel


Date