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Paul M. Treseler
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DECISION

IN THE MATTER OF

TONY QUINONES
AKA ANTONIO CORE¹
W41399

TYPE OF HEARING: Review Hearing

DATE OF HEARING: February 18, 2016

DATE OF DECISION: July 11, 2016

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, Tina Hurley, Lucy Soto-Abbe

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. Parole is granted with special conditions.

I. STATEMENT OF THE CASE

On May 7, 1985, Tony Quinones pled guilty to the second degree murder of William Diaz and was sentenced to life in prison with the possibility of parole. Mr. Quinones also pled guilty to assault with intent to murder, and received an 8 to 10 year sentence to be served concurrent with the life sentence.

On the evening of September 21, 1984, Mr. Quinones was at his mother's apartment in Northampton, when an altercation ensued in front of her home. Mr. Diaz (who was the boyfriend of one of Mr. Quinones' sisters) physically assaulted both Mr. Quinones' mother and sister. Upon seeing this, Mr. Quinones proceeded outside to confront Mr. Diaz. Words were exchanged, with Mr. Quinones holding a gun. When Mr. Diaz and a companion began to run

¹ During the hearing, Mr. Quinones testified that he had always thought his last name was Quinones (father's last name). While on parole in New York, he was informed that the name on his birth certificate is Antonio Core (mother's last name). He stated that his driver's license now reads Antonio Q. Core.

towards the back of the apartment building, Mr. Quinones followed the two men and fired the gun in their direction. Mr. Diaz was shot in the back of the head, but his companion was able to flee.

After the murder, Mr. Quinones fled to Brooklyn, New York and changed his appearance. He was arrested by New York police officers on October 2, 1984 and, subsequently, returned to Massachusetts.

II. PAROLE HEARING ON FEBRUARY 18, 2016

Mr. Quinones received a positive parole vote on May 12, 2004, after the Board noted his positive adjustment and program involvement. In April 2013, however, Mr. Quinones was returned to custody for violating conditions of his parole. He had a criminal complaint against him for filing a false motor vehicle insurance claim, attempting to commit a crime, and for falsely reporting a crime. He was convicted of these offenses on June 5, 2014. Mr. Quinones was sentenced to 2½ years in a House of Correction for his convictions of filing a false motor vehicle insurance claim and attempting to commit a crime, to be served concurrent with his life sentence. He was further sentenced to 1 year in a House of Correction for his conviction of falsely reporting a crime, to be served from and after his 2½ year sentence.

Mr. Quinones, now 60-years-old, appeared before the Parole Board on February 18, 2016, for his first review hearing since returning to custody as a parole violator in 2013. In Mr. Quinones' opening statement to the Board, he admitted that he was guilty of the offense that led to his parole revocation. He expressed his regret for "embarrassing" the Board that had granted him parole and for disappointing his family and friends. During the course of the hearing, Mr. Quinones discussed the murder of Mr. Diaz. Mr. Quinones said that after seeing his mother's swollen face, which resulted from Mr. Diaz striking her, he wanted to fight Mr. Diaz. Although Mr. Quinones had previously borrowed a gun from a man he knew, he claims to have returned the gun before the confrontation with Mr. Diaz. The gentleman who owned the gun, however, was at the scene when the altercation between Mr. Quinones and Mr. Diaz occurred. Mr. Quinones said that the man told him that Mr. Diaz and his companion had guns, and then gave Mr. Quinones his gun. Mr. Quinones said that he was not thinking and, "like a fool," he pursued Mr. Diaz for disrespecting his mother. He started shooting in the direction of Mr. Diaz and his companion. Mr. Quinones said that Mr. Diaz and the other man made "several gestures like they were reaching for something," but admits that he did not see a weapon. Mr. Quinones said that he "just lost it" when he saw his mother and sister hurt. However, he acknowledges that there is "no justification" for what he did, and admits that he made a "terrible mistake."

Mr. Quinones also spoke about the events in February 2009 that led to his parole revocation in 2013. Mr. Quinones said that he was losing his job because the temp agency that he worked for had lost a contract with a certain company. He was in the process of getting work with another company, but could not afford to make the payments on his car in the meantime. Mr. Quinones ran into a friend who needed a vehicle to use for a move from Massachusetts to New York. Mr. Quinones told his friend that he could borrow the car and then leave it in a certain area of New York when he was finished moving. Mr. Quinones would pick it up a few days later. Mr. Quinones admitted that he knew that there was a high likelihood that a vehicle with Massachusetts license plates would be vandalized if left in that particular area.

After his friend brought the vehicle to New York, Mr. Quinones reported it stolen. Mr. Quinones did not tell anyone that he had filed the false police report, including his friend who borrowed the car. Mr. Quinones maintains that he was not seeking financial gain by filing the false claim. He stated that he was trying to get rid of the vehicle, so that he would no longer need to make payments on it. He said that he now realizes "how stupid I was thinking that way." Mr. Quinones acknowledges that he could have called the bank and asked them to take back the vehicle, but instead, he said that he was "selfish." He saw an "easy way out" and took it. He admitted that it was a "stupid act" and stated, "I didn't think of the consequences even though I knew I was wrong." When asked by the Board to discuss the impact of his return to custody, Mr. Quinones said that his actions have caused him to lose a lot. He stated that his family had looked up to him, and he is bothered by the fact that he disappointed his wife and kids, as well as his friends.

Prior to returning to prison, Mr. Quinones had maintained steady employment and had attended meetings that his parole plan required. Since being returned to custody, Mr. Quinones has been working with patients in the Intensive Treatment Unit at Bridgewater State Hospital. He also acts as a tutor and participates in a companion program. Mr. Quinones said that he has tried to sign up for additional programs, but was placed on a waiting list.

The Board considered testimony from Mr. Quinones' wife and step-son, as well as his wife's pastor and one of his wife's friends, all of whom expressed support for his parole. The Board also considered testimony from Hampshire County Assistant District Attorney Rosemary Tarantino, who expressed opposition to Mr. Quinones' parole. A letter from the victim's family was read to the Board that expressed the family's opposition to Mr. Quinones being granted parole.

III. DECISION

Mr. Quinones has maintained a positive record within the correctional institution since being returned to prison in 2013. He now appears empathetic and is insightful of his actions that resulted in the death of Mr. Diaz, as well as his decisions that led to his parole revocation. The Board is of the opinion that Mr. Quinones has demonstrated rehabilitative progress and, consequently, has acquired the tools and skills that will assist him in a successful transition from incarceration. In forming this opinion, the Board has taken into consideration Mr. Quinones' institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment, and whether risk reduction programs could effectively minimize Mr. Quinones' risk of recidivism.

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. After applying this appropriately high standard to the circumstances of Mr. Quinones' case, the Board is of the unanimous opinion that Mr. Quinones merits parole at this time.

SPECIAL CONDITIONS: Approve home plan before release; Waive work for two weeks; No drug or alcohol use, with testing for compliance, and in accordance with agency policy; No contact with victim's family; Attend AA at least once a week.

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.


Gloriann Moroney, General Counsel

7/11/16
Date