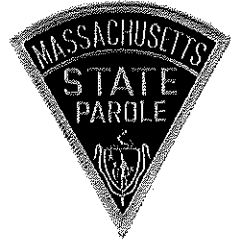


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

TREAS CARTER

W47624

TYPE OF HEARING: Review Hearing

DATE OF HEARING: April 25, 2019

DATE OF DECISION: February 19, 2020

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

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 not a suitable candidate for parole. Parole is denied with a review scheduled in four years from the date of the hearing.

I. STATEMENT OF THE CASE

On December 20, 1989, in Suffolk Superior Court, Treas Carter pleaded guilty to the second degree murder of Willie Roy Evans and was sentenced to life in prison with the possibility of parole. On that same date, he also received sentences of 10 to 15 years each for armed assault with intent to murder and kidnapping, which were to be served concurrently with the life sentence.

Mr. Carter and two other men had come to Boston from New York to oversee a drug operation that Mr. Carter had been operating for two years. While he was serving a prison sentence in New York, Mr. Carter was informed that two men had been stealing his drugs. On December 16, 1988, Mr. Carter and the others went looking for the men who had stolen from him (Willie Roy Evans and another man) and located them in an apartment. At gunpoint, Mr. Evans and the other man were brought to 102 Elm Hill Avenue in Boston. Mr. Carter then shot

and killed Willie Roy Evans. He attempted to kill the other man, as well, but was unsuccessful. After the murder, Mr. Carter fled to North Carolina and then to New York, where he was subsequently arrested.

On April 21, 1992, while incarcerated, Mr. Carter was convicted of assault and battery by means of a dangerous weapon on an inmate and received a sentence of 2 ½ to 4 years to be served from and after his life sentence.

II. PAROLE HEARING ON APRIL 25, 2019

Treas Carter, now 51-years-old, appeared before the Parole Board for a review hearing on April 25, 2019, and was represented by Regina Powers and Taylor Keating of the Harvard Prison Legal Assistance Project. This was Mr. Carter's fourth appearance before the Board, having been denied parole in 2004, 2009, and 2014. Ms. Powers provided an opening statement on Mr. Carter's behalf, highlighting his institutional adjustment and programming efforts since his last hearing. Mr. Carter also provided an opening statement in which he apologized to the family of the victim, as well as his own, and expressed his remorse for the murder.

In describing the governing offense, Mr. Carter told the Board that Willie Roy Evans and the other man were identified by employees of his drug operation as the individuals who had "robbed" them. Mr. Carter stated that when Willie Evans "reached for something," he shot him and the other man and then fled the apartment. Mr. Carter told the Board that he did not intend to kill either man; rather, he shot at them "out of anger and frustration." In describing his childhood leading up to the governing offense, Mr. Carter said that he became involved in criminal activity at age 17. He grew up in a neighborhood in Brooklyn, riddled with crime, in a household with a single mother and "without a father figure."

In discussing his institutional adjustment, the Board expressed its concern about Mr. Carter's past institutional behavior. Board Members noted that Mr. Carter has had over 150 disciplinary reports during his incarceration, the most serious of which involve violence against correctional staff and other inmates. While incarcerated, Mr. Carter received a consecutive sentence of 2 ½ to 4 years, after he was convicted of assault and battery by means of a dangerous weapon for attacking another inmate. The Board, however, also acknowledged the improvement in Mr. Carter's behavior since his last hearing, noting he has managed to earn his GED and law clerk certificate and has participated in such programming efforts as Alternatives to Violence Project ("AVP"). Mr. Carter told the Board that he has also completed Correctional Recovery Academy ("CRA") and Criminal Thinking. Mr. Carter plans to live with his sister in New York, if granted parole.

The Board considered the testimony of Mr. Carter's sister and friend, who spoke in support of parole. The Board considered the oral testimony and letter of Suffolk County Assistant District Attorney Charles Bartoloni in opposition to parole. The Board also considered a letter of opposition submitted by Boston Police Commissioner William Gross.

III. DECISION

The Board is of the opinion that Treas Carter has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Carter murdered the victim execution style. Mr. Carter has had a troublesome adjustment in prison. The Board noted he has made some strides in his rehabilitation. He should continue to engage in treatment/programming and refrain from incurring any disciplinary infractions.

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 forming this opinion, the Board has taken into consideration Mr. Carter'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. Carter's risk of recidivism. After applying this standard to the circumstances of Mr. Carter's case, the Board is of the opinion that Treas Carter is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Carter's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages Mr. Carter to continue working toward his full rehabilitation.

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.



Pamela Murphy, General Counsel



Date