



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

VICTOR MORALES

W65652

TYPE OF HEARING: Review Hearing

DATE OF HEARING: May 26, 2022

DATE OF DECISION: September 29, 2022

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Tina Hurley, Colette Santa¹

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 that the inmate is not a suitable candidate for parole.² Parole is denied with a review scheduled in one year from the date of the hearing.

I. STATEMENT OF THE CASE

On November 19, 1998, in Suffolk Superior Court, a jury found Victor Morales guilty of second-degree murder in the death of 19-year-old Matthew Hill. He was sentenced to life in prison with the possibility of parole. In 2006, the Appeals Court affirmed the conviction and denied a motion for new trial in an unpublished opinion.³

On the night of November 11, 1995, witnesses saw a group of men, including Victor Morales (age 25) and Matthew Hill (age 19), arguing at a playground in the South End neighborhood of Boston. They also saw Victor Morales stab Matthew Hill with a knife. Mr. Hill

¹ Chair Moroney was recused.

² Two Board Members voted to deny parole, and two Board Members voted to grant parole. A majority vote is required for parole to be granted. Accordingly, parole is denied with a review in one year from the date of the hearing.

³ *Commonwealth v. Morales*, 65 Mass. App. Ct. 1126, rev. denied, 447 Mass. 1102 (2006).

was pronounced dead after he was transported to the hospital. About five days later, a witness to the stabbing identified Mr. Morales in a photo array, and he was subsequently arrested.

II. PAROLE HEARING ON MAY 26, 2022⁴

Victor Morales, now 52-years-old, appeared before the Parole Board for a review hearing on May 26, 2022, and was represented by Attorney Kelly Cusack. He has served 27 years of his life sentence. Mr. Morales was denied parole after his initial hearing in 2010, and after his review hearings in 2012 and 2017. In his opening statement to the Board, Mr. Morales apologized to the victim's family and took full responsibility for his actions. Mr. Morales stated that he was born in New York, but then moved to Puerto Rico at a young age. He explained that he was sexually abused by his father, who was a drug addict. Upon moving to the Boston area, Mr. Morales was involved with a gang. He had several encounters with law enforcement, which led to four convictions prior to the governing offense.

Mr. Morales told the Board that he had occasionally used cocaine and, on the night of the murder, he used the drug. When Board Members questioned him about the role that drug use played in the commission of the crime, Mr. Morales stated that he was more violent when he was sober because he could think and plan. He was happier and more easygoing when under the influence of drugs or alcohol. Mr. Morales maintained that he has not used drugs since the day of the murder. He denied any substance abuse or mental health issues. Upon further questioning, Mr. Morales told the Board that he was motivated to commit the murder out of shame and anger. Board Members, however, expressed concern that Mr. Morales' factual account of the murder has changed over time. Until 2017, Mr. Morales stated that he was acting in self-defense, an excuse that he has now abandoned. Despite evidence that others participated in the murder by holding down the victim, Mr. Morales continued to assert that he acted alone. The Board expressed their concern that the evolution of his story was disingenuous.

Board Members acknowledged Mr. Morales' considerable amount of rehabilitative programming efforts since his last hearing. Additionally, Mr. Morales reported that he has been working toward his bachelor's degree and has maintained employment. The Board noted that, despite early difficulties with institutional adjustment, Mr. Morales has remained disciplinary report-free since 2002. Mr. Morales stated that he received a diagnosis of stage four colon cancer and, if granted parole, hopes for a release to a halfway house near a hospital for treatment.

Mr. Morales' friend testified in support of parole. The Board considered testimony in opposition to parole from the victim's family members. The Board considered testimony in opposition to parole from Suffolk County Assistant District Attorney Montez Haywood. The Board also considered a letter in opposition to parole from the Boston Police Department.

⁴ The entire video recording of Mr. Morales' May 26, 2022 hearing is fully incorporated by reference to the Board's decision.

III. DECISION

The Board is of the opinion that Victor Morales has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. [The Board] remains concerned that Mr. Morales is not being forthright about [his] criminal history. Health issue [was] considered; prognosis uncertain.

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. Morales' 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. Morales' risk of recidivism. After applying this standard to the circumstances of Mr. Morales' case, the Board is of the opinion that Victor Morales is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Morales' next appearance before the Board will take place in one year from the date of this hearing. During the interim, the Board encourages Mr. Morales to continue working towards 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

9/29/22
Date