



Charles D. Baker  
Governor

Karyn Polito  
Lieutenant Governor

Daniel Bennett  
Secretary

*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

*12 Mercer Road*  
*Natick, Massachusetts 01760*

*Telephone # (508) 650-4500*

*Facsimile # (508) 650-4599*



Paul M. Treseler  
Chairman

**DECISION**

**IN THE MATTER OF**

**VICTOR MORALES**

**W65652**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** October 31, 2017

**DATE OF DECISION:** September 25, 2018

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler,<sup>1</sup> Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, 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 not a suitable candidate for parole. Parole is denied with a review scheduled in five years 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 In 2006, the Appeals Court affirmed the conviction and denied a motion for a new trial in an unpublished opinion.<sup>2</sup>

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

<sup>1</sup> Chairman Paul Treseler recused.

<sup>2</sup> *Commonwealth v. Morales*, 65 Mass. App. Ct. 1126, rev. denied, 447 Mass. 1102 (2006).

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

## **II. PAROLE HEARING ON October 31, 2017**

On October 31, 2017, Victor Morales, now 47-years-old, appeared before the Parole Board for a review hearing. He was represented by Northeastern Law School Student Attorneys Bethany Fitzgerald and Noah Lerner. Mr. Morales had been denied parole after his initial hearing in 2010, as well as after his review hearing in 2012. In Mr. Morales' opening statement to the Board, he apologized to the Hill family. Student Attorney Noah Lerner discussed Mr. Morales' employment as a runner in the segregation unit, his lack of any recent disciplinary reports, and his completion of numerous programs, as evidence that Mr. Morales is rehabilitated and deserves parole.

The Board questioned Mr. Morales as to whether he discussed with his counselor how his violent childhood could have contributed to Mr. Morales committing murder. Mr. Morales explained that he was sexually abused by his father when he was 6-years-old. Mr. Morales said that he was also traumatized when he witnessed a murder as a child, and the victim's blood splattered on him. He was further traumatized when he witnessed a murder at age 19 or 20-years-old. Mr. Morales said that he "hit the streets" when he was about 12. He drank and used marijuana as a teen, and then tried cocaine at age 19. The Board noted that Mr. Morales was arrested for unlawful possession of a firearm when he was 16 and asked him if he ever shot a gun. Mr. Morales said that he carried knives and guns as a teen. He shot at parked cars, street signs, and mail boxes, but had never shot at people. When questioned by the Board, Mr. Morales explained that he was not in a gang, but was gang-affiliated by virtue of growing up with gang members. The Board also questioned Mr. Morales as to how he became involved in the drug trade. Mr. Morales said that he stole heroin from his brother, and then began selling any drugs he could get his hands on, mostly marijuana, cocaine, and heroin.

The Board asked Mr. Morales to discuss the night of the murder. Mr. Morales said that he was walking by a park, when the nephew of the man he testified against in a murder trial called him a "snitch." Mr. Morales said that he entered the park and confronted the nephew, who was with two people he knew and Matthew Hill (who he did not know). Mr. Morales said that he threw a punch at one of the men, and a fight ensued between himself and the men. Mr. Morales said that, at one point, he was knocked to the ground, which is when he pulled out his knife. Mr. Morales said he began chasing the men. When two of the men defended themselves with a stick, Mr. Morales said he grabbed Mr. Hill and stabbed him, showing the group that he would defend himself if attacked.

Board Members also discussed Mr. Morales' previous criminal history, including involvement with other murder cases, unarmed robbery, and assault and battery with a deadly weapon on a police officer. During questioning, Mr. Morales said he was found not guilty in the murder of one individual and was a witness to another, where he testified for the prosecution. When a Board Member questioned Mr. Morales as to whether he had any regrets from his last parole hearing, Mr. Morales explained that in 2012, he was still under the illusion that he acted in self-defense in killing Matthew Hill. Mr. Morales said that in 2014, a fellow inmate told him to ignore what witnesses had said, what police had said, and what the Parole Board had said, and rather, only look at his own role on the night of the murder. Mr. Morales said that when he stopped thinking "poor me," and focused on his own actions, he realized he was not acting in



self-defense when he murdered Matthew Hill, and that Matthew Hill had done nothing wrong. Mr. Morales said he then discussed his responsibility for the murder with his mental health counselor and with his family.

Since his 2012 parole hearing, Mr. Morales told the Board that he has completed 22 programs. Mr. Morales said he obtained his barber's license, completed bio-hazard training, sees a mental health counselor, and is a youth mentor. He said he works seven days a week as a barber and a runner. According to Mr. Morales, mental health counseling and End of Violence programs were the most helpful. Mr. Morales said that he wants to enroll in the Restorative Justice program, but the program is not offered where he is currently housed. The Board noted that Mr. Morales has not had a disciplinary report since 2002. In discussing his parole plan, Mr. Morales would prefer a step-down to lower security at Northeast Corrections Facility (NCCI) for one year and continue programming. Ideally, he would like to be reserved to Dismas House, continue receiving mental health counseling, and find work as a barber. Mr. Morales said he could live with his long-time friend in Rhode Island or stay in the Worcester area.

Three friends testified on behalf of Mr. Morales. His friends and family sent letters in support of parole. Mr. Hill's family testified in opposition to parole. Suffolk County District Attorney Charles Bartoloni also testified in opposition to parole.

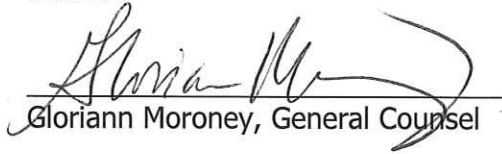
### **III. DECISION**

The Board is of the opinion that Victor Morales has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board remains concerned as to Mr. Morales' level of insight and culpability. His presentment is not indicative of someone who has been rehabilitated.

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 unanimous 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 five years 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.*

  
Gloriann Moroney, General Counsel

  
Date