

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

WILLIAM HICKS

W86107

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: July 14, 2020

DATE OF DECISION: March 31, 2021

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, 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 three years from the date of the hearing.

I. STATEMENT OF THE CASE

On December 27, 1984, after a jury trial in Plymouth Superior Court, William Hicks was found guilty of second degree murder in the death of Robert Wesley. He was sentenced to life in prison with the possibility of parole. In 1986, Mr. Hicks' conviction was affirmed, following his unsuccessful appeal attempt.

On September 3, 1983, 24-year-old William Hicks shot and killed 26-year-old Robert Wesley.¹ Prior to the governing offense, Ricardo Rogers (Mr. Hicks' stepbrother) asked Mr. Hicks for help in a move from Connecticut to Brockton, Massachusetts. While preparing for the move, however, Mr. Rogers and his brother in-law, Robert Wesley (who lived in Massachusetts), got into an argument. Both Mr. Rogers and Mr. Wesley made threatening statements to one another,

¹ Mr. Hicks was on parole for first degree kidnapping at the time of the governing offense.

suggesting violence once Mr. Rogers arrived at the Brockton apartment. Before leaving Connecticut, Mr. Hicks (who had been helping Mr. Rogers) stopped at his father's house and took his rifle, which he placed in the trunk of his car. After Mr. Hicks and Mr. Rogers arrived in Brockton, Mr. Wesley soon came to the apartment. An argument ensued between Mr. Wesley and Mr. Rogers. At the time, Mr. Hicks was on the sidewalk in front of the apartment. Mr. Hicks was armed, yelling, "Just give me the word." Mr. Wesley, who was unarmed, approached Mr. Hicks. Shortly thereafter, Mr. Hicks (who was standing a couple feet away) shot and killed him. Mr. Hicks was arrested several days later in Connecticut. While on the run, Mr. Hicks shot and killed a second victim on the day after he murdered Mr. Wesley.²

II. PAROLE HEARING ON JULY 14, 2020

William Hicks, now 61-years-old, appeared before the Parole Board for an initial hearing on July 14, 2020. He was not represented by counsel. In Mr. Hicks' opening statement to the Board, he expressed his remorse, stating that he was "truly sorry" for his crimes. Since his incarceration, he has gained "a better understanding of himself and the world around [him.]" Mr. Hicks stated that he "stole something he can't give back" and assured the Board that he takes full responsibility for the harm he caused.

When Board Members inquired as to the events leading up to the governing offense, Mr. Hicks explained that he was helping Ricardo Rogers (his stepbrother) move furniture from Connecticut to Massachusetts. At the time, Mr. Hicks explained that Mr. Rogers had an issue with Mr. Wesley. Mr. Hicks admitted, however, that on their way to Massachusetts, it was his own idea to bring the firearm, to which Mr. Rogers agreed. The Board questioned Mr. Hicks as to why he decided to interject himself into a situation he was not involved in. Mr. Hicks responded that he wanted to show Mr. Rogers his "loyalty and dedication." He viewed his stepbrother as a "manipulator," as his stepbrother would often "induce" him into doing things he did not want to do. Board Members pointed out, however, that Mr. Rogers had not asked Mr. Hicks to get involved. In response, Mr. Hicks maintained that Mr. Rogers had "control" over him, which is why he yelled, "Just give me the word," prior to the shooting. When asked if Mr. Rogers had given him the instruction to shoot, Mr. Hicks indicated that he did not. Mr. Hicks also admitted that, after Mr. Wesley was shot, Mr. Rogers appeared upset and questioned his actions. When the Board addressed the fact that Mr. Wesley was unarmed, Mr. Hicks claimed that he did not know that at the time. He felt justified since Mr. Wesley arrived at the apartment with other people, causing him to be fearful.

When Board Members inquired as to his relationship with Mr. Rogers, Mr. Hicks shared that he always tried to "look out" for his stepbrother as an adult, despite being abused by him as a child. Mr. Hicks also said that Mr. Rogers took advantage of his need for family support, as he (Mr. Hicks) felt like an "outcast" growing up. When Board Members asked about his childhood, Mr. Hicks said that he was abandoned by his mother at a young age and, when he was five, he moved in with his father and stepmother. His father was often violent towards him, and he was sexually abused by his siblings. Mr. Hicks expressed to the Board that, despite his criminal history, he was not a "fighter." Rather, he was a "coward." Due the severity of his father's abuse, he had "no fight in [him]" as an adult. The Board noted, however, that Mr. Hicks took it upon himself to bring a firearm to the apartment and, when Mr. Wesley arrived, Mr. Hicks intervened without

² Mr. Hicks completed his Connecticut murder sentence in 2005 and was transferred to Massachusetts DOC in 2006.

Mr. Rogers prompting him to do so. When Board Members also noted that he claimed self-defense at trial, Mr. Hicks explained that, while he found his defense to be legitimate, it failed due to a prejudicial jury. Mr. Hicks did not understand the "finality of his actions." Rather, he believed that Mr. Wesley's murder was "justified" because he was defending Mr. Rogers. When asked to reflect on his actions at this hearing, Mr. Hicks stated that he shot Mr. Wesley because he was "unable to cope with his own insecurities" or his past childhood trauma.

Mr. Hicks having incurred 5 disciplinary infractions throughout his 37 years of incarceration. His most recent report occurred in 1998. Nonetheless, Board Members noted Mr. Hicks' problematic behavior at the time of the governing offense, at which time he was on parole for another crime. His anti-social behavior stemmed from the abuse he suffered as a child, as he did not feel "loved" by his family members. As such, he had no role models or support, so he often made poor choices. While institutionalized in Connecticut, Mr. Hicks participated in a substantial amount of programming. When Board Members asked him about his transition to the Massachusetts Department of Corrections, Mr. Hicks indicated that he had every intention of becoming an "avid participant" in rehabilitative programming. However, at the onset of his sentence, he experienced "culture shock," and his participation decreased. He was not able to be his "authentic self" and found the other inmates to be unrelatable. When questioned as to whether he has addressed his past trauma, Mr. Hicks said that he is working on those issues and remains "dedicated" to improvement. The Board encouraged Mr. Hicks to participate in mental health treatment and rehabilitative programming to cope with his childhood trauma, as it appeared to have had a significant impact on his crimes.

The Board considered oral testimony in opposition to parole from Mr. Wesley's sister and nieces. Plymouth County Assistant District Attorney Keara Kelley also provided oral testimony in opposition to parole. District Attorney Timothy Cruz provided a letter in opposition.

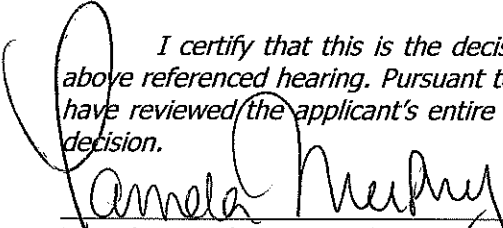
III. DECISION

It is the opinion of the Board that William Hicks has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Hicks shot and killed Robert Wesley on September 3, 1983. Within days, he committed another murder in Connecticut. The Board acknowledged the strides that he has made in his rehabilitation. He is encouraged to re-engage in treatment/programming to address his childhood trauma. He acknowledged [that], at the time of the offenses, his mental capacity was diminished. Mr. Hicks finally admitted that the firearm was his at the hearing. Given [his] lengthy criminal history and crimes on parole, [he] will require significant rehabilitation.

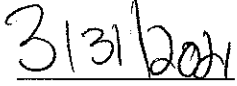
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the 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. Hicks' 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. Hicks' risk of recidivism. After applying this standard to the circumstances of Mr. Hicks' case, the Board is of the opinion that William Hicks is not rehabilitated and, therefore, does not merit parole at this time.

Mr. Hicks' next appearance before the Board will take place in three years from the date of this hearing. During the interim, the Board encourages Mr. Hicks 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