

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

ZEPHAS HOOKS

W38166

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **November 27, 2018**

DATE OF DECISION: **July 11, 2019**

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa, Lucy Soto-Abbe ¹

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 to Interstate Compact via California with special conditions.

I. STATEMENT OF THE CASE

On February 26, 1981, in Worcester Superior Court, Zephas Hooks pleaded guilty to the second-degree murder of 74-year-old Joseph Faford and was sentenced to life in prison with the possibility of parole. On that same date, he pleaded guilty to the unrelated manslaughter of Frank Carlson, armed robbery, and possession of a hypodermic needle. He received (2) 9-15 year sentences for the manslaughter and armed robbery charges. These sentences were ordered to be served concurrently with the life sentence. The possession of a hypodermic needle charge was filed.

¹ Board Member Soto-Abbe was present at the hearing, but was not a Board Member at the time of vote.

On September 19, 1980, Joseph Faford was walking along the train tracks in Webster. Zephas Hooks (age 19) and his friend were sitting near the tracks, saw Mr. Faford, and engaged him in conversation. Mr. Faford had a beer with the men. At some point during their conversation, Mr. Faford removed a pocket watch from his pocket. As the three men got up to leave, Mr. Hooks directed Mr. Faford to walk up a hill. Once they were alone, Mr. Hooks pulled out a knife and demanded that Mr. Faford give him the watch. Mr. Faford responded that he only had ten dollars and the watch. Mr. Hooks told him that he only wanted the watch and, when Mr. Faford resisted, Mr. Hooks grabbed it and then stabbed him. Mr. Faford suffered 29 stab wounds during the fatal attack. Mr. Hooks' drinking companion reported the murder to police, and Mr. Hooks was arrested that night.

A week before the murder, on September 11, 1980, Mr. Hooks was involved in a fatal altercation with a man named Frank Carlson in the town of Webster. According to witnesses, the two men argued after Mr. Carlson was alleged to have thrown a bottle at one of Mr. Hooks' friends. At some point in the confrontation, Mr. Hooks struggled with Mr. Carlson, causing Mr. Carlson to fall and hit his head on the pavement. Mr. Hooks dragged Mr. Carlson, who was not moving, to grass near Webster Town Hall and then left. A few minutes later, Mr. Carlson regained consciousness and caught up with Mr. Hooks, resuming the argument. Eventually, the two men went their separate ways. After the altercation, Mr. Carlson started experiencing symptoms of a brain injury and sought medical treatment at an area hospital. On September 25, 1980, Mr. Carlson died from the head injuries sustained on the night of the altercation.

II. PAROLE HEARING ON NOVEMBER 27, 2018

On November 27, 2018, Zephas Hooks appeared before the Parole Board for a review hearing. He was not represented by counsel. Mr. Hooks had been denied parole after his initial hearing in 1995, and after review hearings in 1998, 2002, 2006, and 2010. Mr. Hooks was granted parole after his 2013 review hearing. He was released in 2015 to a long-term residential program, which he completed. In September 2017, Mr. Hooks reported to his parole officer that he had relapsed and used cocaine. Although he was ordered to report for daily drug testing, Mr. Hooks failed to show for three consecutive days. When he reported for drug testing in October 2017, Mr. Hooks tested positive for cocaine use. He was returned to custody, and his parole was revoked.

In his opening statement to the Board, Mr. Hooks apologized to the families of his victims. When Board Members questioned Mr. Hooks about his return to custody, he explained that in July 2015, after starting a relationship with a woman, he stopped going to Alcoholics Anonymous meetings. He also stopped talking to both his Alcoholics Anonymous sponsor and his religious advisor. Mr. Hooks admitted to the Board that he and his girlfriend started using cocaine in September on four separate occasions. He claimed that he had never used cocaine before meeting his girlfriend. Due to his relapse, Mr. Hooks said he lost his job as a volunteer counselor at the Alcoholics Anonymous Way of Life (AAWOL) program and was asked to stop attending for two weeks. Mr. Hooks reported that at the same time, he was having trouble with his landlord at his sober house. Mr. Hooks admitted that he made poor choices on parole, as he prioritized his relationship with his girlfriend over his sobriety and freedom. When Board Members questioned him about substance abuse before being paroled, Mr. Hooks stated that he is an alcoholic, and had been addicted to heroin, but that he was clean and sober from 1993 until the fall of 2015, when he used cocaine.

While on parole, Mr. Hooks said that he worked occasionally, with his roommate, installing fire escapes. He collected Supplemental Security Income and worked as a counselor at Gavin House, facilitating the AAWOL program. Mr. Hooks reported that he was also an occasional guest speaker at Suffolk University and Boston College. Mr. Hooks explained that although he tries to be productive, he was involved in a debilitating car accident (when he was younger) that limits his ability to work. If paroled, Mr. Hooks requests that he be released back to the Gavin House or a similar long-term residential treatment program. He would continue to attend Alcoholics Anonymous meetings, return to the AAWOL program, and receive one on one counseling. Mr. Hooks hopes that, ultimately, he will be allowed to live with his sisters in California, stating that he can work part-time and receive Supplemental Security Income (SSI).

Both Mr. Hooks' Alcoholics Anonymous sponsor and his religious advisor testified in support of parole. Lawrence Cotton, Chief Operating Officer of Jericho Circle, submitted a letter of support. The Worcester County District Attorney's Office submitted a letter of opposition.

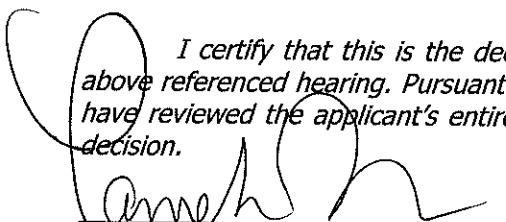
III. DECISION

The Board is of the opinion that Zephas Hooks has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Parole is granted to Interstate Compact via California. Re-incarceration has served its purpose.

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. Hooks' 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. Hooks' risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Hooks' case, the Board is of the unanimous opinion that Zephas Hooks is rehabilitated and, therefore, merits parole at this time. Parole is granted to Interstate Compact via California with special conditions.

SPECIAL CONDITIONS: Approve home plan before release via Interstate Compact with California; Waive work for two weeks; Must be home between 10:00 pm and 6:00 am; Electronic monitoring – GPS; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; Must have mental health counseling for adjustment/transition/SAC; AA/NA at least 3 times/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.


Pamela Murphy, General Counsel


Date