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PAROLE BOARD

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Josh Wall
Chairman

DECISION

IN THE MATTER OF

ZEPHAS HOOKS

W38166

TYPE OF HEARING: Review Hearing

DATE OF HEARING: August 13, 2013

DATE OF DECISION: February 4, 2014

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Ina Howard-Hogan, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, institutional record, the testimony of the inmate at the hearing, the views of the public as expressed at the hearing or in written submissions to the Board, we conclude by a unanimous vote that the inmate is a suitable candidate for parole at this time. Parole is granted to a long-term residential program following 12 months in lower security.

I. STATEMENT OF THE CASE

On September 19, 1980, 19-year-old Zephas Hooks stabbed 74-year-old Joseph Faford to death in Webster, Massachusetts. He pleaded guilty to second-degree murder on February 26, 1981, and was sentenced to serve life in prison. That same day, Hooks also pleaded guilty armed robbery and to the unrelated manslaughter of Frank Carlson, which had occurred a week before the murder of Mr. Faford. He was sentenced to serve a concurrent term of nine to 15 years for these crimes.

On the day of murder, Mr. Faford was walking along train tracks, as he often did. Hooks 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, Hooks directed Mr. Faford to walk up a hill. Once they were alone, 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. Hooks told him that he only wanted the watch and, when Mr. Faford resisted, Hooks grabbed it from him and stabbed him. Mr. Faford suffered 29 stab wounds during the fatal attack.

A week before the murder, on September 11, 1980, Hooks was involved in another fatal altercation, this time with Frank Carlson. The two men had argued and Hooks struck Mr. Carlson, causing him to fall to the ground and his head to hit the pavement. Hooks dragged Mr. Carlson, who was not moving, to a nearby tree and left. A few minutes later, Mr. Carlson woke up and caught up with Hooks and a friend, continuing the argument. Eventually, with brain injury, Mr. Carlson sought medical treatment at area hospitals. He died as a result of a skull fracture on September 25, 1980.

II. PAROLE HEARING ON AUGUST 13, 2013

Zephas Hooks, age 52, appeared for his sixth parole hearing after serving 33 years of a life sentence for the second degree murder of Joseph Faford. Hooks has completed the concurrent sentence of 9 to 15 years he received for the manslaughter of Frank Carlson. Hooks came to Massachusetts in 1980, at age 19, and committed the homicides seven days apart. He gave the Board a history of his life before coming to Massachusetts: "I was born in Boise, Idaho and moved to Washington State and then Nevada; I grew up in Nevada; my parents had alcohol and drug issues so I was raised by my aunt and her husband whose name was Arthur; I lived with them starting at age four or five; when I was eight years old, Arthur started being verbally abusive; one thing he told me was that, "you are an interracial little bastard and I don't know why I'm responsible for raising you." I ran away to friends' homes a few times so Arthur put me in a foster home when I was nine; my aunt got me back after seven months but later Arthur put me and my two siblings in a children's home; I was in a reform school in Reno for two years."

He explained his early criminal behavior: "I was a good athlete in football, baseball, and boxing so I got away with more; I was drinking alcohol and using some drugs; I broke into some houses and sold some drugs; I had plenty of chances but I just kept doing the same thing; I dropped out in twelfth grade." A friend in Nevada "was from Worcester; when I was 19 I came with him to Massachusetts to visit; I met Danny Sargent in a drug buy; we got high together and then started living together; Sargent had nothing to do with the murder of Mr. Faford." Hooks provided the details of the manslaughter and the murder. The murder was a brutal stabbing. The manslaughter resulted from an altercation in which the victim struck his head on the ground after Hooks pushed him down.

Hooks has 21 disciplinary reports, including for marijuana use, heroin use, and gang activity as a member of the Latin Kings. His conduct is much improved since 1999 and his last disciplinary report was in 2004. He described his rehabilitative path and explained the importance of programs, religious commitment, and mental health services. He reported that "I did the Spectrum STG [security threat group] program twice, in 1996 and 2001; I have not had any gang involvement since I returned to MCI-Norfolk in 2001." In addition to anti-gang work, the STG program included criminal thinking, anger management, and substance abuse components. He has also completed Alternatives to Violence (four phases), Jericho Circle, Active Listening, Problem Solving, Emotional Awareness, and AA 12 Steps. He said that "Emotional Awareness in 2009 was absolutely phenomenal" and that he would "continue Jericho Circle on the street with the related Mankind Project, that's my thing." He has extensive involvement in Catholic religious activities through the Dominican Order, which is a rigorous and

structured religious program. He reported that he has many positive relationships and supporters through the Dominican Order and that his spiritually-based work "has been an opening up and healing process" for several years.

Hooks emphasized the importance of the counseling he has received through mental health services. He said that in counseling "it was difficult to go through some parts of my life; I didn't want to talk about some things but I learned how to do it; now I can talk in counseling and in programs; I've reflected on my life; my alcohol problem and attitude problem came from anger at Arthur and I have taken care of that now; I have been open and honest about those issues and what I have been through." He explained that he has resolved his anger issues by understanding difficulties in his childhood through counseling, talking in programs about how to resolve problems, and developing self-discipline and patience through the Dominican Order. He said, "I wanted control in relationships and I would get angry if I did not have control." He said that he knows how to avoid seeking control in relationships and that it is very important for him to seek help from people. He said, "I won't have a problem asking for help."

Worcester Assistant District Attorney Michelle King attended the hearing and submitted a letter in opposition. There were no supporters in attendance. Hooks explained that he is not from Massachusetts, has no family here, and that his supporters are religious volunteers through the Dominican Order who are not permitted to advocate for his parole.

III. DECISION

During the span of just seven days, Zephas Hooks committed two violent assaults that resulted in the deaths of two men, one of whom was 74 years old. He has spent 33 years in prison for these crimes. He takes full responsibility for his actions in committing these crimes and, over his years of incarceration, has developed insight into the factors that contributed to his substance abuse and triggered his violent actions. He has remained free of any disciplinary incidents since 2004, and has received significant benefits from counseling and religious involvement. In addition, he has been involved in positive programming within the institution that has helped him to develop pro-social conduct and relationships. This behavior indicates that Mr. Hooks is rehabilitated and does not present a current risk for violence.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that, "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." Applying that appropriately high standard here, the Board finds that Mr. Hooks is a suitable candidate for parole due to his successful rehabilitation. Not only has he been incarcerated for 33 years, but also he does not have family in Massachusetts. He needs, therefore, considerable structure and support to address re-entry issues of housing, employment, and psychological adjustment. The special conditions of parole are designed to provide that structure and support.

SPECIAL CONDITIONS: Parole after 12 months in lower security to a long-term residential program; no drug use; no alcohol use; substance abuse evaluation at program with requirement to follow recommended treatment; counseling for adjustment issues; GPS for one year and thereafter at discretion of parole officer.

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.

Josh Wall

Josh Wall, Chairman

February 4, 2014

Date