



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Daniel Bennett
Secretary

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Paul M. Treseler
Chairman

Michael J. Callahan
Executive Director

DECISION

IN THE MATTER OF

CEFERINO MONZON

W61832

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: April 4, 2017

DATE OF DECISION: January 10, 2018

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, 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 December 26, 1996, in Suffolk Superior Court, a jury convicted Ceferino Monzon of 3 counts of rape of a child and was sentenced to life in prison with the possibility of parole. Mr. Monzon also was found guilty of 4 counts of indecent assault and battery on a child, for which he received 10 years of probation. The indictments stemmed from the sexual assaults of Mr. Monzon's biological daughters that occurred from 1988-1993.

Subsequently, Mr. Monzon filed a notice of appeal on February 14, 1997. The case was decided in the Appeals Court on April 4, 2001. The judgments of conviction on the indictments naming the middle child as the victim were reversed, and the verdicts were set aside. The judgments of conviction on the indictments naming the other two daughters as victims were affirmed. The sentences on those convictions were vacated, and the matter was remanded for resentencing. At a resentencing hearing conducted on January 26, 2007, the sentences were imposed Nunc Pro Tunc from the December 26, 1996 trial date.

II. PAROLE HEARING ON APRIL 4, 2017

Ceferino Monzon, now 60-years-old, appeared before the Parole Board for his initial hearing on April 4, 2017, and was represented by Attorney Lorenzo Perez. Mr. Monzon declined to provide an opening statement, deferring opening remarks to his attorney. Attorney Perez highlighted Mr. Monzon's limited formal education and how that has impeded his rehabilitation. Mr. Monzon has been steadfast in maintaining his innocence and disputes the facts that he sexually assaulted his daughters. He also disputes the fact that his eldest daughter contracted genital herpes from him, believing that he was initially misdiagnosed. However, evidence contradicts this, since Mr. Monzon was diagnosed in 1993 with eczema on his fingers, poison ivy on his legs and trunk, and herpes simplex virus on his penis.

Mr. Monzon is currently serving his sentence at Old Colony Correctional Center in protected custody due to the nature of his offenses. Although he has engaged in limited programming during this commitment, he is currently enrolled in ESL and pre-GED. Mr. Monzon has declined the Sex Offender Treatment Program, as he denies the offenses occurred.

Suffolk County Assistant District Attorney Charles Bartoloni spoke in opposition to parole. A letter of opposition was submitted by Boston Police Commissioner William Evans, as well.

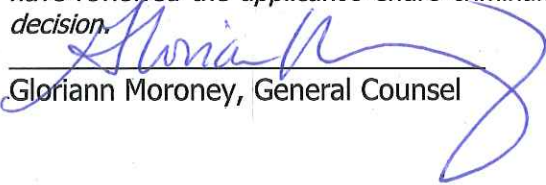
III. DECISION

The Board is of the opinion that Ceferino Monzon has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes that a longer period of positive institutional adjustment and programming would be beneficial to Mr. Monzon's rehabilitation. He has served 20 years for the sexual assaults on his young biological daughters, a concerning offense in the opinion of the Board. Mr. Monzon has yet to engage in the Sex Offender Treatment Program.

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

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


Gloriann Moroney, General Counsel

1/10/18
Date