



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

GEORGE VICENTE

W87303

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: June 1, 2017

DATE OF DECISION: May 29, 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 a majority vote that the inmate is not a suitable candidate for parole.¹ Parole is denied with a review in two years from the date of the hearing.

I. STATEMENT OF THE CASE

On March 14, 2006, in Plymouth Superior Court, George Vicente was found guilty of second degree murder in the death of Anthony Weeks and was sentenced to life in prison with the possibility of parole.

On July 4, 2002, 17-year-old George Vicente and another man fought at the Brockton Fair. The victim, 16-year-old Anthony Weeks, was present, but was not involved in the fight. Anthony Weeks and a group of other people, including the man involved in the fight, walked home along Belmont Street. After a series of events involving this group and a white Ford Explorer, Mr. Weeks tried to hide by crouching behind a car. A neighbor watching from his window saw Mr. Vicente climb up on and position himself between two cars that were parked

¹ Five Board Members voted to deny parole with a review in two years. One Board Member voted to reserve parole to a transition house after 18 months in lower security.

close together, one in front of the other. Mr. Vicente put his feet on the hood of one car and leaned forward putting his hands on the back window of a station wagon parked directly behind it. He shot downward, killing Anthony Weeks.

Sets of finger and palm prints taken from the rear car window, where the shooter leaned forward, were a perfect match to Mr. Vicente's prints. Shoe prints from the hood of the other car were consistent with shoes taken from Mr. Vicente when he was arrested. The trajectory of the fatal bullet corroborated the description of both Mr. Weeks' and Mr. Vicente's relative positions at the time of the murder.

II. PAROLE HEARING ON JUNE 1, 2017

George Vicente, now 32-years-old, appeared before the Parole Board for his initial hearing on June 1, 2017. He was represented by Attorney Jason Benzaken. In Mr. Vicente's opening statement, he expressed remorse for the death of Mr. Weeks and accepted full responsibility for the crime. He regrets the pain and suffering he caused, and continues to cause, his family and friends. The Board questioned Mr. Vicente at length about his criminal history and the causative factors that led him to prison. Mr. Vicente explained that at an early age, he became enamored with street life and sought the respect of his older brother and peers. The respect that he received provided him with a sense of worth and emboldened him to become further entrenched in anti-social behavior. At age 17, Mr. Vicente was committed to the Department of Youth Services, after violating probation for receiving a stolen motor vehicle and driving to endanger. Mr. Vicente was on juvenile supervision for approximately one month at the time of the governing offense. He now recognizes the consequences of his criminal conduct in the community.

Mr. Vicente discussed the events surrounding the murder of Mr. Weeks. Mr. Vicente, a member of a gang, had an on-going feud with another man and members of a rival neighborhood gang. The feud culminated at the Brockton Fair on July 4, 2002, during which time Mr. Vicente and his friends got "jumped." During the early hours of July 5, Mr. Vicente came to possess a firearm through an acquaintance, who also provided him with instructions as to where to dispose of the weapon after use. Mr. Vicente then sought out the man and his associates in retribution. He fired the weapon three times. Two shots were fired at the man from the rival gang; the third round fatally wounded Mr. Weeks, who died of a handgun wound to the chest.

The Board questioned Mr. Vicente as to his progress in rehabilitation, as well as his level of insight and candor, in order to evaluate his parole suitability. Mr. Vicente explained how his investment in treatment/programming have helped him gain a greater perspective during his incarceration. The Board acknowledged the multitude of programming and rehabilitative efforts that Mr. Vicente has engaged in. Mr. Vicente is currently incarcerated at MCI-Norfolk, where he works as a runner and participates in the General Maintenance Program, Path to Freedom, and Cognitive Skills Workshop. He has successfully participated in programs covering a variety of topics, including those recommended by the Department of Correction in his risk reduction plan. Mr. Vicente's programming includes: Emotional Awareness, Violence Reduction, and Criminal Addictive Thinking. He received his Bachelor of Liberal Studies, magna cum laude, from Boston University in 2016. It was through his participation in Emotional Awareness that he first began

to understand empathy and accept responsibility for his criminal behavior that resulted in chaos in the community and loss of life.

Mr. Vicente had many supporters at his hearing and multiple letters of support were submitted on his behalf. The Board considered oral testimony from his mother, two sisters, and an ex-offender, all of whom expressed strong support for parole. Additionally, expert testimony was provided by Dr. Mendoza. Plymouth County Assistant District Attorney Stacy Gauthier spoke in opposition to parole.

III. DECISION

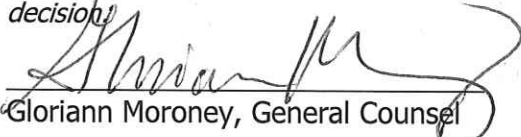
The Board is of the opinion that Mr. Bowser has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Vincente should remain program involved and employed, and he should continue to maintain a positive adjustment. Release does not meet the legal standard.

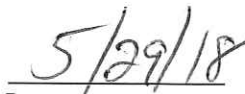
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." 120 C.M.R. 300.04. In the context of an offender convicted of first or second degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015); See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015).

The factors considered by the Board include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.* The Board has also considered whether risk reduction programs could effectively minimize Mr. Vicente's risk of recidivism. After applying this standard to the circumstances of Mr. Vicente's case, the Board is of the majority opinion that George Vicente is not yet rehabilitated, and his release is not compatible with the welfare of society. Mr. Vicente, therefore, does not merit parole at this time.

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