



The Commonwealth of Massachusetts  
Executive Office of Public Safety



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**DECISION**

**IN THE MATTER OF**

**JOSE VELASQUEZ**

**W64535**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** June 5, 2012

**DATE OF DECISION:** January 22, 2013

**PARTICIPATING BOARD MEMBERS:** Cesar Archilla, Dr. Charlene Bonner, Sheila Dupre, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall.

**DECISION OF THE BOARD:** Parole is denied with a review in five years. The decision is unanimous.

**I. STATEMENT OF THE CASE**

Jose Velasquez stabbed his wife to death, in front of their three young children, in their Holyoke apartment on July 11, 1997. He pleaded guilty to second-degree murder on April 22, 1998.

Velasquez met his common-law wife Maria Nunez in Puerto Rico when he was 48 and she was 17. They were together for 12 years before the murder. They had two biological children and an older child of Ms. Nunez's who was three months old when she met Velasquez. The family moved from Puerto Rico to Massachusetts in 1996. Velasquez never held a job in Massachusetts and the family relied on Ms. Nunez's income. He sought federal disability benefits and was denied. Velasquez spent a considerable amount of time drinking and shooting dice with friends.

Maria Nunez became increasingly dissatisfied with the domestic arrangement, which included Velasquez's controlling behavior. She told him to move out of the family apartment two weeks before the murder. Days before the murder, Velasquez told a family friend that he would stab Ms. Nunez. Velasquez returned to the apartment on the evening of July 11, 1997. The three children, ages 11, 9, and 6, were home. Velasquez stabbed Maria Nunez four times to the chest and back. She also had seven additional incised wounds to the back, arm, and hands. The children yelled at Velasquez to stop the attack, and the eleven-year-old son grabbed Velasquez to stop the attack. Ms. Nunez died from the blood loss.

Police arrested Velasquez shortly after the murder. He told police that he entered the apartment and saw an unknown man stabbing Ms. Nunez. The next day he gave a second statement in which he blamed the victim for all the marital problems and claimed her insults and taunts provoked him to pick up a knife but that he had no memory of the killing. Both of these statements were false.

## **II. PAROLE HEARING ON JUNE 5, 2012**

Jose Velasquez appeared for his first parole hearing after 15 years of incarceration. A Spanish interpreter was used for the hearing. He said that he is "extremely repentant and I am not the same person; I have suffered for 15 years and I ask for forgiveness." He said that on the night of the murder he "turned violent when she told me there was another man in her life." There is no evidence to support his claim, and in fact, other witnesses reported that she did not have another relationship. The eleven-year-old-son heard the conversation that preceded the stabbing and did not report any statement by his mother concerning another man; the child did hear his mother tell Velasquez to leave because "she didn't want him anymore."

The inmate said that he loved his wife and "loved my children so much I would not let them go outside or ride bikes or ride in a car with someone else." He has not seen his three children since the day he murdered their mother. He claimed that there were no issues in the marriage except for one disagreement over a car: "she called the police and threw me out" two weeks earlier because he told her not to loan her car to her female friend.

Parole Board Members asked Velasquez about reported acts of violence in Puerto Rico, including criminal charges involving a gun. He said "I was charged twice but found not guilty; I was accused of shooting at my brother-in-law but there was no case in court because the gun didn't exist; they made my daughter say I had a gun but a gun never existed; the second charge they said I carried a gun to get her relative." The Parole Board concluded that Vazquez was not candid in describing these incidents.

He denied ever owning a gun. The Board, however, was given during the hearing a family photograph in which Velasquez is pointing a handgun. When shown the photograph, Velasquez admitted he was the person in the photograph but said, "that's a toy gun." Parole Board Members concluded that Velasquez was not honest in claiming that his handgun was a toy.

Board Members questioned Velasquez about his descriptions of the marriage, Ms. Nunez's actions, and his conduct. He consistently refused to acknowledge that there were problems in the marriage or with his conduct. He assigned all blame to Maria Nunez. Board Members expressed that they did not accept his lopsided account of the marriage: "you make yourself look like the victim; you put excuses out there to blame Maria;" "you have a distorted sense of reality."

The inmate has a mixed institutional record. He has good conduct (one disciplinary report for fighting) but below average program participation. He completed two phases of Alternatives to Violence in 2010 and participated in Nuestra Familia (a Latino educational and cultural program) in 2010 and 2011.

The inmate's sister-in-law and two brothers spoke in support of parole. Maria Nunez's brother and Hampden Assistant District Attorney Diane Dillon spoke in opposition to parole.

### **III. DECISION**

Jose Velasquez has served 15 years for murdering his wife in the presence of *their three* young children. It is a horrible crime with far-reaching consequences as three children were raised without a parent due to terrifying violence which they witnessed. The four goals of sentencing – punishment, deterrence, rehabilitation, and public protection – have not been met. Velasquez has below average participation in rehabilitative programming. His lack of investment in rehabilitation was evident at his parole hearing in which he showed little insight into his conduct involving domestic violence and anger, and was not forthcoming about his prior use of guns to intimidate family members. He had more interest in stating his views of the victim's faults than identifying and discussing his own faults. Due to inadequate program participation and lack of insight shown at his hearing, Jose Velasquez does not present evidence of rehabilitation. He is likely to re-offend if released and his release is incompatible with the welfare of society. Accordingly, parole is denied with a review in five years. The Board recommends that Velasquez commit to program participation with the goal of developing a more thoughtful approach to his issues involving anger, domestic violence, and honesty.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing. This signature does not indicate authorship of the decision.*

Josh Wall  
Josh Wall, Chairman

January 22, 2013  
Date