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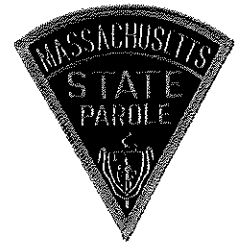
The Commonwealth of Massachusetts
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Tina M. Hurley
Chair

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Executive Director

RECORD OF DECISION

IN THE MATTER OF

ADILSON NEVES
W98473

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: June 6, 2024

DATE OF DECISION: October 28, 2024

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, Rafael Ortiz

VOTE: Parole is denied with a review in two years from the date of hearing.¹

PROCEDURAL HISTORY: On April 19, 2011, following a jury trial in Plymouth Superior Court, Adilson Neves was convicted of murder in the first degree for the death of Edward Conley. He was sentenced to life in prison without the possibility of parole. He became parole eligible following the Supreme Judicial Court's decision in *Diatchenko v. District Attorney for the Suffolk District*, 466 Mass. 655 (2013). On June 6, 2024, Adilson Neves appeared before the Board for an initial hearing.² He was represented by Attorney Eva Jellison. The Board's decision fully incorporates by reference the entire video recording of Adilson Neves' June 6, 2024, hearing.

STATEMENT OF THE CASE: On February 16, 2008, 17-year-old Adilson Neves shot and killed 56-year-old Edward Conley. On the morning of February 16, 2008, Brockton police responded to a report of a hit and run motor vehicle accident. Upon their arrival, the responding officers observed a Cowen's Taxicab on the front lawn of 19 Galen Street. The operator of this cab, later identified as Edward Conley, was found lying across the front seat. He had suffered a gunshot wound to the head. He was transported to Brockton Hospital, where he was pronounced dead.

Investigators learned that co-defendants Jeffrey Milton and Antonio Fernandes had obtained a revolver in preparation for robbing a taxicab driver. Sometime in the late evening

¹ One Board Member voted to parole with 6 months in lower security and then Long-Term Residential Program.

² Mr. Neves postponed his initial hearing in 2023.

hours of Friday, February 15, 2008, Adilson Neves met up with Mr. Milton and Mr. Fernandes. Mr. Milton called from a payphone a taxi for a pick up at the end of Galen Street. After making this call, both Mr. Milton and Mr. Neves rejoined Mr. Fernandes and another individual. They went to a location near where the taxicab was scheduled to arrive. Prior to the taxi's arrival, Mr. Fernandes then handed Mr. Neves the revolver and told him to rob the taxi driver. When the taxi driven by Mr. Conley arrived, Mr. Neves and Mr. Fernandes entered the back seat of the cab. Mr. Fernandes demanded Mr. Conley's money, while Mr. Neves pointed a gun at the back of Mr. Conley's head. At some point during the assault, Mr. Neves shot Mr. Conley in the head, killing him.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an incarcerated individual's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the incarcerated individual's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

In the context of an incarcerated individual 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 meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation. *Diatchenko v. District Attorney for the Suffolk District*, 466 Mass. 655, 674 (2013). See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015). The factors considered by the Board include a juvenile'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." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015). The Board also recognizes the incarcerated individual's right to be represented by counsel during their appearance before the Board. *Id.* at 20-24.

DECISION OF THE BOARD: This was Mr. Neves' initial appearance before the Board. He has served 15 years of a life sentence for the murder of Edward Conley. The Board notes that Mr. Neves has had 17 disciplinary reports while incarcerated, including a recent one and a return to higher custody. The Board would like to see a longer period of positive adjustment before releasing Mr. Neves on parole. The Board also notes that Mr. Neves minimized his gang involvement during the hearing. The Board has considered the neuropsychological and psychological consultation by Dr. Mendoza. During the hearing, Mr. Neves discussed his struggle with the use of K2 since 2015. Mr. Neves is encouraged to remain disciplinary report

free and seek treatment for substance abuse. The Board considered testimony in support of parole from Mr. Neves' CRA counselor, sister, and friend, as well as LICSW Jackie Oppen. The Board considered opposition testimony from two family members of the victim. Plymouth County Assistant District Attorney Karen Palumbo also provided testimony in opposition to parole. The Board concludes that Adilson Neves has not demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

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.


Tina M. Hurley, Chair


Date