



The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**ALBERT JACKSON**

**W63771**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** August 15, 2017

**DATE OF DECISION:** July 9, 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 three years from the date of the hearing.

**I.STATEMENT OF THE CASE**

On December 12, 1997, in Plymouth Superior Court, a jury convicted Albert Jackson of the second degree murder of Walter Poe. The Massachusetts Appeals Court affirmed the conviction in 2000. In 2010, the Appeals Court considered the case again and affirmed the denial of Jackson's motion for new trial.

On the evening of March 13, 1996, Albert Jackson and seven other prisoners, including Walter Poe, were transported by the sheriff's van from the Nashua Street Jail to various other facilities. During the trip, Mr. Poe, an alcoholic in precarious physical condition, was manifesting symptoms of alcohol detoxification, including hallucinations and incoherent rambling. Annoyed by Mr. Poe's behavior, Mr. Jackson told him to shut up. He then administered two sets of powerful

kicks to Mr. Poe's head and chest, using his right boot. After the second set of kicks, Mr. Poe slumped to the floor (mumbling and dazed), at which point Mr. Jackson said, "He'll be quiet now." By the time the van arrived at its first destination, Mr. Poe was on the floor, neither moving nor speaking. He died the following afternoon at Boston City Hospital of acute subdural hematoma, a consequence of head trauma. Mr. Jackson was 26-years-old when he committed the murder.

## **II. PAROLE HEARING ON AUGUST 15, 2017**

Albert Jackson, now 47-years-old, appeared before the Parole Board for a review hearing on August 15, 2017. He was represented by Attorney Frank Herrmann, who submitted documentation in support of parole to the Board. Mr. Jackson was denied parole after his initial hearing on August 21, 2012. In Mr. Jackson's opening statement, he expressed remorse and sorrow regarding his role in the death of Mr. Poe. He acknowledged that he will have to live with his death for the rest of his life. He claims, however, that he is now a changed man.

When questioned by a Board Member, he admitted that he "savagely kicked Mr. Poe in back of a transportation van causing his death." He described his younger years and stated that he "ran the streets," selling drugs and robbing drug dealers. Prior to the murder, Mr. Jackson said he was living in Roslindale with his wife and children. He was laid off from his construction job, which led him back to the streets, selling drugs. When asked about his prior use of drugs and alcohol, he described drinking alcohol and hard liquor every day, as well as using marijuana and cocaine. Mr. Jackson also explained the circumstances regarding two disciplinary reports, which he received since his last parole hearing. When asked by a Board Member about his proudest accomplishment in programming, he said obtaining his G.E.D. and completing "the voices program" had the most impact on him.

Mr. Jackson said that he has been diagnosed with schizoaffective disorder, which he described as schizophrenia and bipolar together. He claims that there were times he couldn't determine the difference in what was real and what was not. He agreed that he needs treatment for a mood disorder, mood swing, or any type of psychotic thinking. Board Members asked him what would happen if he was not engaged in treatment. Mr. Jackson said that if he didn't take his medication or receive counseling, his mind would start to get "clouded again," he "wouldn't be able to focus," and "the voices would appear again." He said that he suffers from hallucination seizures, seeing things that are not really there. He stated that he is taking medications, but that he takes half a dose of the anti-psychotic medication because a full dose knocks him out. Mr. Jackson described hearing voices when he recently changed facilities, as it was a new environment. If he was not on medication, he "wouldn't know how to deal" with certain experiences. Attorney Herrmann proposed a parole plan to include the Wyman Community Re-entry Program and Yetman Sober Housing.

The Board considered testimony in support of parole by Mr. Jackson's three cousins, mother, and aunt. The Board considered testimony in opposition to parole by Mr. Poe's brother and daughter. Plymouth County Assistant District Attorney Stacy Gauthier also provided testimony in opposition to parole.

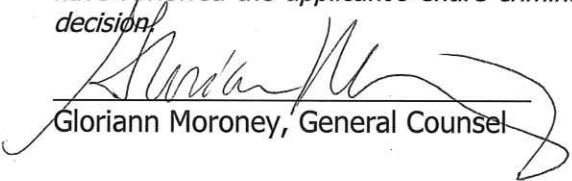
### III. DECISION

The Board is of the opinion that Mr. Jackson has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Jackson needs to continue to address his causative factors through treatment/programming. In addition, he should remain compliant with mental health treatment and medication.

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

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

  
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Gloriann Moroney, General Counsel

7/9/18  
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Date