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Tina M. Hurley
Chair

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Executive Director

RECORD OF DECISION

IN THE MATTER OF

ALBERTO CARDOZA

W96141

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: July 12, 2022

DATE OF DECISION: December 5, 2022

PARTICIPATING BOARD MEMBERS¹: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On March 15, 2010, after a jury trial in Essex Superior Court, Mr. Cardoza was convicted of second-degree murder in the death of 18-year-old Jose Ramos, Jr. and was sentenced to life in prison with the possibility of parole. On the same date, Mr. Cardoza was convicted of unlawful possession of a firearm and was sentenced to a concurrent term of four to five years in prison.

Mr. Cardoza appeared before the Parole Board for an initial hearing on July 12, 2022. He was not represented by counsel. The entire video recording of Mr. Cardoza's July 12, 2022, hearing is fully incorporated by reference to the Board's decision.

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.

The Board is of the opinion that Alberto Cardoza has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. On August 15, 2007, 19-year-old Mr. Cardoza shot and killed 18-year-old Jose Ramos, Jr. Although Mr. Cardoza accepts responsibility for the murder, he has had a problematic institutional adjustment as evidenced by his twenty-five disciplinary reports. The Board notes that he has made efforts

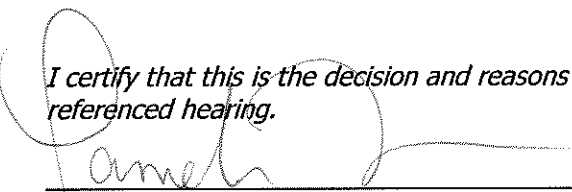
¹ Former Chair Gloriann Moroney was no longer a board member at the time of the vote.

recently to engage in rehabilitative programming. He is currently enrolled in CRA. The Board wants to see a longer period of positive adjustment as well as more rehabilitative programming before he would be considered a suitable candidate for parole. He should pursue a vocation, especially where he reports an interest in barbering. The Board also notes that Mr. Cardoza has recently been using alcohol and had regularly used K2 while incarcerated. He should reengage in AA/NA in the institution.

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

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



Pamela Murphy, General Counsel

12/5/22
Date