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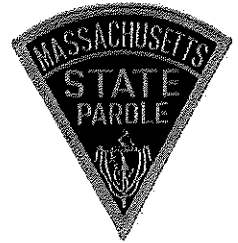
The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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Tina M. Hurley
Chair

Lian Hogan
Executive Director

RECORD OF DECISION

IN THE MATTER OF

ALBERTO DIAZ
W85293

TYPE OF HEARING: Review Hearing

DATE OF HEARING: December 5, 2024

DATE OF DECISION: March 26, 2025

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 2 years from the date of the hearing.¹

PROCEDURAL HISTORY: On April 5, 2005, in Bristol Superior Court, Alberto Diaz pleaded guilty to second-degree murder for the death of Jose Torres. He was sentenced to life in prison with the possibility of parole. On that same date, Mr. Diaz also pleaded guilty to possession of a firearm and received a 1 year sentence to be served concurrently with his life sentence. A charge of conspiracy to commit murder was filed. Parole was denied following an initial hearing in 2019. On December 5, 2024, Alberto Diaz appeared before the Board for a review hearing. He was not represented by an attorney. The Board's decision fully incorporates by reference the entire video recording of Alberto Diaz's December 5, 2024, hearing.

STATEMENT OF THE CASE: On October 26, 2003, in Fall River, 25-year-old Alberto Diaz, Jr., along with his two co-defendants, participated in the shooting death of 33-year-old Jose Torres. On the night of the murder, Mr. Diaz, his brother Luis Diaz, and Luis Tejeda drove from Boston to the home of Jose Torres in Fall River. When Mr. Torres opened the door, his daughter observed Mr. Diaz, whom she knew as "Chino," and another man that she didn't know, at the doorway of their home. She heard them ask, "Where is Macho?" and "Are you Macho's boy?" She then heard three shots and found that her father had been shot. As Mr. Torres lay fatally wounded, he informed his wife and children that "Chino" shot him. Mr. Torres repeated similar words to the first police officer to arrive at the scene. After a high-speed highway chase, the


¹ One Board Member voted to deny parole with a review in 3 years.

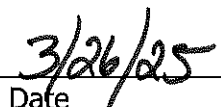
three men were apprehended by police. Mr. Diaz admitted to being present at the murder, but claimed that Mr. Tejeda was the shooter. Mr. Tejeda, however, claimed Mr. Diaz to be the shooter.

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 inmate'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 inmate'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 inmate at the time of the offense, the criminal record, the institutional record, the inmate'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).

DECISION OF THE BOARD: Mr. Diaz appeared before the Board for the second time. He is currently housed out of state. He has not completed any recent programming. He has incurred multiple disciplinary reports within the last five years, including a weapons charge. The Board notes that Mr. Diaz has made recent positive progress. The frequency of his disciplinary reports has decreased. He hopes to be moved to medium security soon. The Board encourages Mr. Diaz to continue making positive steps in his rehabilitation progress. The Board concludes that Mr. Diaz 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

**Massachusetts Parole Board
Life Sentence Unit**

Certificate of Service

I, _____, a staff member of the Idaho Department of Correction, certify that I served a true and accurate copy of the Massachusetts Parole Board's Record of Decision of March 26, 2025, by in-hand delivery, upon:

**Alberto Diaz
(DOB October 5, 1978)
MA ID W85293
Idaho ID 128776**

Alberto Diaz, Signature

Date

Idaho Department of Correction, Employee Signature

Date

Please return executed copy of Certificate of Service to
Karen J. Kelly, Coordinator, Life Sentence Unit, Massachusetts Parole Board, via e-mail:
karen.kelly@mass.gov