



**Charles D. Baker**  
Governor

**Karyn Polito**  
Lieutenant Governor

**Daniel Bennett**  
Secretary

*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

*12 Mercer Road*  
*Natick, Massachusetts 01760*

*Telephone # (508) 650-4500*

*Facsimile # (508) 650-4599*



**Paul M. Treseler**  
Chairman

**Michael J. Callahan**  
Executive Director

**DECISION**

**IN THE MATTER OF**

**ALFONSO PRATER**  
**W62351**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** May 17, 2016

**DATE OF DECISION:** October 4, 2016

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, 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 the 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 in two years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On March 20, 1997, in Essex County Superior Court, a jury convicted Alfonso Prater and a co-defendant, Jamie Spillane, of second degree murder for the shooting death of 24-year-old Alfredo Reynoso. Mr. Prater was sentenced to life with the possibility of parole. A third co-defendant, Stanley Pierrecanel, was acquitted. Also involved in the crime was Mr. Prater's (then) girlfriend Ethel Jones, who testified at trial and, as a part of a plea agreement, later pled guilty to manslaughter. Another male implicated in the crime, Amaury Soriano, was a juvenile at the time and was granted immunity to testify at trial.

On February 6, 1996, Mr. Prater shot Mr. Reynoso in the chest when Mr. Reynoso was sitting inside his automobile, outside a house in Lynn. After being shot, Mr. Reynoso drove his vehicle away from the scene and then crashed it into a parked automobile located down the street. A subsequent autopsy indicated that Mr. Reynoso bled to death.

Mr. Prater had first met Mr. Reynoso on February 4, 1996, when Mr. Reynoso dropped off Mr. Prater's girlfriend, Ethel Jones, at a friend's house. At that time, Mr. Prater told Mr. Reynoso not to do "any more favors" for Ms. Jones. Mr. Reynoso said nothing and drove away. Later, Ms. Jones told Mr. Prater that Mr. Reynoso was a drug dealer, and that she had seen him carrying \$2,000-\$3,000 in cash. Upon hearing that, Mr. Prater devised a plan to rob Mr. Reynoso. As part of Mr. Prater's plan to rob him, Ms. Jones asked Mr. Reynoso for a ride to a friend's home on the afternoon of February 5, 1996. In the meantime, Mr. Prater, Mr. Spillane, Mr. Pierrecanel, and Mr. Soriano laid in wait for Mr. Reynoso at the home of Ms. Jones' friend. All four men had planned to participate in the robbery of Mr. Reynoso and split the proceeds evenly amongst themselves.

When Mr. Reynoso arrived at the destination, Ms. Jones exited his car. Mr. Prater, Mr. Spillane, Mr. Pierrecanel, and Mr. Soriano then surrounded Mr. Reynoso's vehicle. Mr. Prater, who was armed with a gun, ordered Mr. Reynoso to exit his vehicle. Mr. Prater was pointing his gun at Mr. Reynoso in such a way that it was touching Mr. Reynoso's shoulder. Mr. Reynoso, however, refused Mr. Prater's orders to exit his vehicle. At some point, Mr. Reynoso's vehicle jerked forward and Mr. Prater's gun discharged. The bullet went through Mr. Reynoso's arm and into his chest. Mr. Reynoso then sped away and crashed into a nearby parked car. Mr. Prater and Ms. Jones went inside the apartment of Ms. Jones' friend. Mr. Spillane, Mr. Pierrecanel, and Mr. Soriano ran to Mr. Pierrecanel's house, where Mr. Spillane flushed the spent shell casing from Mr. Prater's gun down the toilet. The following morning, they all learned of Mr. Reynoso's death through a newspaper article.

## **II. PAROLE HEARING ON MAY 17, 2016**

Mr. Prater, now 39-years-old, appeared for the second time before the Parole Board after being denied parole in 2012. Mr. Prater expressed his remorse for the murder and apologized to Mr. Reynoso's family, his community, and his own family. Mr. Prater indicated that he did not have a personal dislike for Mr. Reynoso, but that he told Mr. Reynoso to stop doing favors for his girlfriend simply because he did not know him. His description of the attempted robbery and murder is consistent with the official version. Mr. Prater states that after Mr. Reynoso refused to get out of the car two times, he felt that Mr. Reynoso was not taking him seriously. Mr. Prater stated that, instead of thinking that "he could have been scared and in fear for his life," he ignored what Mr. Reynoso may have been feeling. Mr. Prater stated that when the car jerked forward, he "reacted" by firing the gun. Mr. Prater insisted that he did not know the gun was loaded because his co-defendant, Mr. Pierrecanel, told him it was not loaded.

Mr. Prater displayed some positive changes since the last hearing regarding his lack of responsibility and minimization of his crime. At this hearing, Mr. Prater stated that he sold drugs because he liked the lifestyle, the "freedom to do what I wanted to do," and the "fast money." He admitted that he chose to rob Mr. Reynoso because his income was running low, and that he was trying to "re-establish myself back in that lifestyle [of selling drugs]." He also said that Mr. Reynoso would be an "easy target" because he was "going along with my then-girlfriend's requests," and he would not go to the police. Upon questioning from a Board Member, Mr. Prater admitted that he took the lead in planning the robbery. Mr. Prater also disavowed prior statements that deflected responsibility for the crime to his co-defendants. He agreed that he was the "mastermind" behind the crime.

When asked why he took his case to trial, Mr. Prater stated that he did not have a choice. He stated that he asked his attorney many times to try to make a plea deal, but the Essex County District Attorney did not offer him a deal. When asked why he should have gotten a plea deal, Mr. Prater stated that he did not have any "premeditation to kill Mr. Reynoso." He also stated, "I didn't get the opportunity to rob Mr. Reynoso." The Board asked Mr. Prater if he thought he was exhibiting responsibility and culpability for his actions. Mr. Prater responded that "... the amount of time I do can't replace his life. And I was guilty 20 years ago...." He finally stated that he should have pled guilty. Mr. Prater still maintains, however, that he did not know that the gun was loaded. When asked why he would pull the trigger of an empty gun, he said that his intention was to intimidate Mr. Reynoso into compliance.

The Board questioned Mr. Prater about a 2012 scheme to provide patients at Bridgewater State Hospital (BSH) with caffeinated coffee in exchange for canteen items, which resulted in a disciplinary report and, ultimately, his transfer to higher security. The Board noted that a BSH patient identified Mr. Prater as having been involved, and that a torn scrap of paper containing a list of canteen items matched a torn sheet of paper found in Mr. Prater's cell. Mr. Prater denied any wrongdoing in relation to the scheme and indicated that the Department of Corrections investigator set him up. The Board expressed concern that Mr. Prater's denial lacked credibility.

Since his last hearing before the Board, Mr. Prater has had one transfer to higher security (from Bridgewater State Hospital Cadre Program to M.C.I. Concord). Mr. Prater states that the transfer was due to writing an inappropriate letter to a staff member that expressed his attraction to her. Mr. Prater stated that he originally intended to give the letter to the staff member, but later "thought against it." Mr. Prater has completed rehabilitative programming since his last parole hearing, including classes in anger management, victim impact awareness, computer skills, and substance abuse. He also completed the Correctional Recovery Academy and BEACON courses, which the Board credits as positives steps. Mr. Prater spent four years in the Cadre Program at Bridgewater State Hospital. After his transfer to M.C.I. Concord, he was employed in the staff kitchen. He has also taken courses in personal training and finance.

Mr. Prater's mother and father testified in support of parole, offering support and housing in Arkansas or Virginia. Essex County Assistant District Attorney Catherine Semel testified in opposition to parole. She argued that, of all the co-defendants, Mr. Prater was most responsible for the death of Mr. Reynoso, having been the one to plan the robbery and to fire the gun.

### **III. DECISION**

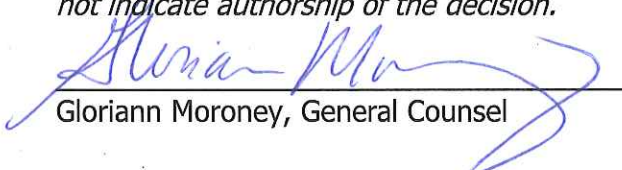
Although progress has been made, the Board is of the opinion that Mr. Prater has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes that a longer period of positive institutional adjustment and programming, such as the Restorative Justice Program, would be beneficial to Mr. Prater's rehabilitation.

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

Mr. Prater's next appearance before the Board will take place in two years from the date of this hearing. During the interim, Mr. Prater should continue working toward 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.*

  
Gloriann Moroney, General Counsel

10/4/14  
Date