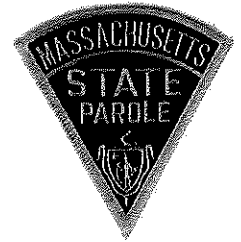


*The Commonwealth of Massachusetts
Executive Office of Public Safety and Security*



PAROLE BOARD

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DECISION

IN THE MATTER OF

ALFONSO PRATER

W62351

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **May 31, 2018**

DATE OF DECISION: **February 20, 2019**

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa, 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 a suitable candidate for parole. Parole is granted to Virginia via Interstate Compact, after 12 months in lower security and with special conditions.

I. STATEMENT OF THE CASE

On March 20, 1997, in Essex County Superior Court, a jury convicted Alfonso Prater of second-degree murder for the shooting death of 24-year-old Alfredo Reynoso. Mr. Prater was sentenced to serve life in prison with the possibility of parole. Mr. Prater filed an appeal, but his conviction was affirmed.¹

On February 6, 1996, 18-year-old Alfonso Prater shot Alfredo 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.

¹ *Commonwealth v. Alfonso Prater*, 431 Mass.App.Ct. 86 (2000)

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 learned of Mr. Reynoso's death through a newspaper article. Days later, Mr. Prater was charged with murder.

II. PAROLE HEARING ON MAY 31, 2018

Alfonso Prater, now 41-years-old, appeared before the Parole Board on May 31, 2018, for a review hearing. He was not represented counsel. Mr. Prater was denied parole after his initial hearing in 2011, as well as after his review hearing in 2016. In Mr. Prater's opening statement to the Board, he apologized to the Reynoso family and took responsibility for the crime that he committed. He stated that he is ashamed and disgusted for what he did to Mr. Reynoso. He acknowledged that, at 18-years-old, he was in the business of dealing drugs. After being in custody for 22 years, Mr. Prater explained to the Board that he is a "leader at this point" and not a follower. He added that he is remorseful for his actions and, if paroled, he plans to have a positive impact on the community.

When Board Members questioned him about the governing offense, Mr. Prater said that using a weapon during the robbery was not part of the original plan. He added that he knew Mr. Reynoso would not have a weapon at the time. When a Board Member asked Mr. Prater why he was so desperate at the time of the murder, Mr. Prater responded that he was "feeling like a failure" and that he "needed the cash." He added, "I needed to provide for me and my girlfriend." Although he had family support at the time, he "did not ask them for anything." He agreed that he wanted to do his "own thing." His uncles showed him how to sell drugs and were a negative influence on him. He was around 14 or 15-years-old when he acquired a gun.

Mr. Prater told the Board that he is a better person now. He stated that his "mentality" is different and that he doesn't "think about committing crime." Besides being a personal trainer, his biggest ambition is "get[ing] a trade" in welding. He told the Board that he received his G.E.D. and a Law Clerk Certificate. Mr. Prater admitted to the Board that he had one

disciplinary report in 2002 for fighting. Among other programs, he said that he attends the Graduate Maintenance Program and Restorative Justice Program and works at a "utilities job." Mr. Prater told the Board that he keeps in regular contact with his parents and brother. If paroled, he would like to step-down from minimum security to pre-release, and then, to a transitional house. After the transitional house, he would like to be paroled to Virginia, which is where his father lives. He told the Board that he is a good candidate for parole because he is compassionate, respectful, and determined to succeed. He added that he can abide by the law and plans to obtain his personal trainer certification.

The Board considered testimony in support of parole from Mr. Prater's father and mother. The Board considered testimony in opposition to parole from Essex County Assistant District Attorney Catherine Langevin Semel.

III. DECISION

The Board is of the opinion that Mr. Prater has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society.

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 also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Prater's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Prater's case, the Board is of the opinion that Alfonso Prater merits parole at this time. Parole is granted to Virginia via Interstate Compact, after 12 months in lower security and with special conditions.

SPECIAL CONDITIONS: Approve home plan before release; Release to other authority – Interstate Compact VA; Waive work for 2 weeks; Must be at home between 10pm & 6am at P.O. discretion; Electronic Monitoring-GPS at P.O. discretion; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact with victim's family; Must have substance abuse evaluation and adhere to plan; Must have mental health counseling for adjustment/transition.

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.



Shara Benedetti, Acting General Counsel

2/20/19
Date