



The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**CARLOS MADERA**

**W87803**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** October 29, 2019

**DATE OF DECISION:** July 16, 2020

**PARTICIPATING BOARD MEMBERS:** Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, Colette Santa

**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 June 5, 2006, in Franklin Superior Court, Carlos Madera pleaded guilty to second-degree murder in the death of 19-year-old Anthony Alves. On the same date, he pleaded guilty to two counts of assault and battery with a dangerous weapon, three counts of witness intimidation, and one count of assault and battery. On the first count of assault and battery with a dangerous weapon, he received a 6 to 7 year sentence to run consecutive to his life sentence. On the first count of witness intimidation, he received a 6 to 8 year sentence to run consecutive to the 6 to 7 year sentence. On the second count of assault to battery with a dangerous weapon and the second and third counts of witness intimidation, he received a 6 to 8 year sentence to run concurrently with each other, as well as the other 6 to 8 year sentence. On the count of

assault and battery, he was sentenced to 2 and a half years in the House of Correction to be served concurrently with the 6 to 8 year sentence for witness intimidation.<sup>1</sup>

In the early evening hours of November 12, 2004, Carlos Madera was visiting friends on the first floor of Hope Street in Greenfield before traveling home to Northampton. Sometime after midnight, while Mr. Madera was in Northampton, an interaction occurred in Greenfield, where offensive comments were made by Anthony Alves (a guest at a party) toward female guests of the first floor residents. A phone call was placed to Mr. Madera, who stated that he would return to Greenfield to deal with the situation. Mr. Madera's brother and two cousins (his co-defendants), all of whom were armed, joined Mr. Madera in confronting Mr. Alves in a parking lot on Hope Street. Mr. Alves' friend was attacked by one of the co-defendants with a sword. Upon witnessing the attack on his friend, Mr. Alves fled. Mr. Madera and his three co-defendants got into their car and caught up with Mr. Alves. They attacked him with their hands, feet, and sword. During the attack, Mr. Alves punched Mr. Madera's brother. Mr. Madera and his co-defendants left the scene, but returned moments later when Mr. Madera realized his brother had been injured. Mr. Alves was then struck in the back of the head with the handle of a knife or sword, causing him to fall to his knees. His attackers then took turns stabbing him with a sword and knife and punching him in the face. They left Mr. Alves on the ground, bleeding from his wounds. Mr. Alves was discovered dead at approximately 5:00 a.m. on November 13. His death was due to multiple stab wounds (11), resulting in severe internal injuries.

## **II. PAROLE HEARING ON OCTOBER 29, 2019**

Carlos Madera, now 42-years-old, appeared before the Parole Board on October 29, 2019, for an initial hearing. He was represented by student attorneys from Northeastern University School of Law. In his opening statement to the Board, Mr. Madera apologized to the Alves family for his "heartless and impulsive actions" that led to the murder of Anthony Alves. Mr. Madera told the Board that he suffered significant physical, verbal, and emotional abuse at the hands of his stepfather. The abuse worsened if he expressed any emotions; accordingly, he "bottled up" his emotions throughout his childhood and adolescence. He began using marijuana and alcohol as a teenager to treat his anxiety. In his early twenties, Mr. Madera said that his drug use expanded to the regular use of ecstasy. At the time of the governing offense, he was working two jobs and had a good relationship with most family members, especially his young daughter. He told the Board, however, that substance abuse caused him difficulty in holding onto jobs.

The Board questioned Mr. Madera as to the underlying events surrounding the governing offense. Mr. Madera said that he was socializing at his friend's apartment in Greenfield on November 12, but returned to his home in Northampton in the evening. He was contacted by the same friend to return to Greenfield, as an altercation had taken place between residents of the apartment and Mr. Alves during a party. Mr. Madera told the Board that he believed his friend wanted his support regarding the altercation. He claimed, however, that he was reluctant to drive to Greenfield, as he had been drinking and using ecstasy and marijuana. His co-defendants had been drinking and smoking, as well, before they returned to the party. Mr. Madera explained that he kept a knife with a brass knuckle handle in his car, but was unaware that one of his co-defendants was armed with a sword that evening.

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<sup>1</sup> Mr. Madera's sentence was imposed on June 12, 2006.

When Mr. Madera and his co-defendants arrived at the party, they observed their friend in the parking lot with Mr. Alves. A physical fight broke out and Mr. Alves ran down the street. Mr. Madera admitted that he drove a car to reach Mr. Alves, and that the group engaged in a second physical altercation with him. After the men exchanged blows, Mr. Madera stated that his group left and returned to the party. He became enraged, however, when he discovered his brother had sustained injuries in the fight. Then, he and his co-defendants ran back to where they had left Mr. Alves and assaulted him again, this time with the knife and sword. Mr. Madera admitted to striking Mr. Alves with the brass knuckle portion of the knife before stabbing him repeatedly. He acknowledged that he and his co-defendants took turns stabbing him with the knife and sword. The Board noted that Mr. Alves was left on the ground alone. Mr. Madera stated that he knew the only organ in Mr. Alves' body that was not injured was his heart. Mr. Madera then returned to the apartment, where he told the residents what the group had done and asked for a pillowcase to hide his bloody clothing and the knife. The Board confronted Mr. Madera with witness statements that he had threatened to kill the residents if they went to the police with what he had done. He claimed that he does not have a memory of threatening anyone. Mr. Madera agreed with the Board's assessment that he did not take responsibility for the crime until he was offered a plea deal.

The Board noted that Mr. Madera did not have a history of violence, either before or after the murder. Mr. Madera believes that he committed the murder because of his inability to express his anger in a healthy manner, compounded with his intoxication level. He agreed with the Board's assessment that he "exploded," and that he could not control himself. Mr. Madera said that he worked to understand and control his anger, beginning early in his incarceration, due to the devastating effect it had on so many lives. The Board noted that although he completed some programs in the first decade of his incarceration, he has engaged more programming and training only in the last few years and just completed Criminal Thinking and Restorative Justice Retreat shortly before the hearing. The Board also noted that he is engaged in AA and Hi-Set classes and has been employed full-time for the latter part of his incarceration. He stated that he is on the waitlist for additional programs. The Board acknowledged that, if granted parole, Mr. Madera would begin serving a 12 to 15 year consecutive sentence. Mr. Madera plans to complete his Hi-Set and enroll in college courses, while continuing to engage in programming. Mr. Madera said that he is in regular contact with friends and family, who would support him during his transition into the community.

Mr. Madera's mother testified in support of parole. Northwestern Assistant District Attorney Andrew Covington testified and submitted a letter in opposition to parole.

### **III. DECISION**

The Board is of the opinion that Carlos Madera has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Madera and his co-defendants brutally beat and stabbed Anthony Alves. He just recently engaged in rehabilitative programming. He should engage in all recommended treatment and programming to include Correctional Recovery Academy. In addition, the Board is concerned that Mr. Madera's version of the events is in conflict with that of the Commonwealth.

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

Mr. Madera'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. 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.*



Pamela Murphy, General Counsel

7/16/2020  
Date