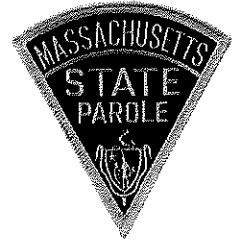


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

EDWARD ALICEA

W84175

TYPE OF HEARING: **Initial Hearing**

DATE OF HEARING: **June 4, 2019**

DATE OF DECISION: **March 23, 2020**

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, 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.¹

I. STATEMENT OF THE CASE

On September 19, 2004, in Hampden Superior Court, Edward Alicea was found guilty of unarmed robbery. He was sentenced to life in prison with the possibility of parole.

On August 19, 2003, Edward Alicea (age 37), while dressed as a police officer, robbed a Wendy's restaurant in Springfield. Employees had just started work that morning, when the assistant manager heard a buzzer by the rear door of the restaurant. He looked through the peephole and saw Mr. Alicea standing there, waiting to be let in. Although he had never seen him before, the assistant manager let him in, since Mr. Alicea wore identification that read "Police" and carried a radio. Once inside, Mr. Alicea began to act and talk like a police officer and proceeded to ask questions. He directed the assistant manager to remove the contents from the safe and place them on the counter. At one point, Mr. Alicea handcuffed the assistant

¹ One Board Member voted to deny parole with a two year review.

manager's hands behind his back and pushed him to the floor. Mr. Alicea gathered up the money (\$4,700 in cash) from the safe and fled. Although the assistant manager tried to block the exit, Mr. Alicea shoved him out of the way and escaped. Mr. Alicea was later identified as a suspect and arrested.

II. PAROLE HEARING ON JUNE 4, 2019

Edward Alicea, now 53-years-old, appeared before the Parole Board on June 4, 2019, for an initial hearing. He was not represented by counsel. In his opening statement to the Board, Mr. Alicea claims that he is not the same person he was years ago. When speaking about his childhood, he explained how he was placed in foster care, where he was mentally and physically abused. Although he was introduced to drugs (by his mother) at a young age, Mr. Alicea denies any current substance abuse issues. Rather, he describes himself as a quick learner and a hard worker. He believes that he is now able to ask for help when he needs it.

When questioned as to the events leading up to the governing offense, Mr. Alicea told the Board that, at the time of the crime, he had his own landscaping business and was overwhelmed with responsibility. He needed money to pay the bills and the employees. He saw that opportunity when he went to the back door of Wendy's, impersonated a police officer, and proceeded to rob the restaurant. Mr. Alicea denies being under the influence of any substances during the offense. He also denies having a weapon at the time, but states that he had a radio. Board Members noted Mr. Alicea's history of committing robberies, as well as his extensive criminal history comprised of 11 juvenile arraignments and 52 adult arraignments. Additionally, Mr. Alicea spoke of a prior robbery on his criminal record, for which he received a sentence of 10 to 12 years.

In regard to his programming efforts, Mr. Alicea told the Board that he benefitted most from the Culinary Arts Program. He completed Violence Reduction, Anger Management, Computer Skills, as well as other programs. The Board asked Mr. Alicea if there were any other areas that he needs to address further and specifically expressed concern in regards to substance abuse. He responded that he did not because he had previously graduated from the Spectrum Academy. Mr. Alicea discussed two disciplinary reports that are currently open. As to any mental health issues, Mr. Alicea told the Board that he was diagnosed with Post Traumatic Stress Disorder (PTSD).

The Board considered testimony in support of parole from Mr. Alicea's girlfriend and her mother. Hampden County Assistant District Attorney Howard Safford testified in opposition to parole.

III. DECISION

The Board is of the opinion that Edward Alicea has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Alicea is serving his second state commitment and has an extensive criminal history. It is the opinion of the Board that he would benefit from additional treatment/programming to address his causative factors.

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

Mr. Alicea'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

3/23/2020
Date