



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

**PAROLE BOARD**

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**RECORD OF DECISION**

**IN THE MATTER OF**

**JOAO MIRANDA**

**FKA ADRIANO BARROS**

**W53831**

**TYPE OF HEARING:**        **Review Hearing**

**DATE OF HEARING:**       **August 18, 2022**

**DATE OF DECISION:**     **December 1, 2022**

**PARTICIPATING BOARD MEMBERS<sup>1</sup>:** Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse, Colette Santa

**STATEMENT OF THE CASE:** On January 14, 1993, after a jury trial in Suffolk County Superior Court, Joao Miranda<sup>2</sup> was found guilty of first-degree murder in the death of 25-year-old Charleston Sarjeant. He was sentenced to life in prison without the possibility of parole. On that same date, Mr. Miranda was found guilty of assault and battery by means of a dangerous weapon and received a concurrent sentence of 3-5 years. Mr. Miranda was 17 years old at the time of the offense, making him eligible for parole<sup>3</sup>.

Mr. Miranda appeared for his second parole hearing on August 18, 2022. He was represented by Attorney Inna Landsman. Mr. Miranda was denied parole after his initial hearing in 2020. The entire video recording of Mr. Miranda's August 18, 2022, hearing is fully incorporated by reference to the Board's decision.

**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,

<sup>1</sup> Former Chair Gloriann Moroney was no longer a board member at the time of the vote.

<sup>2</sup> At the time of his arrest, Mr. Miranda provided the alias "Adriano Barros" and a false date of birth that identified him as 18 years old. His name and date of birth were corrected on the docket in Suffolk Superior Court in 2019.

<sup>3</sup> *Diatchenko v. District Attorney for the Suffolk District*, 466 Mass. 655 (2013).

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.

Reserve to ICE detainer and approved home plan if not deported. On April 23, 1992, 17-year-old Mr. Miranda and his codefendants participated in the stabbing and beating death of 25-year-old Charleston Sarjeant. Mr. Miranda immigrated to the United States at the age of eleven from Cape Verde, to which he has since been ordered deported. He struggled in school and did not finish high school. He began using drugs and committing crimes as a teenager with a group of friends in order to fit in. Mr. Miranda was with a group of young people when they killed Mr. Sarjeant. He accepts responsibility for the offense and has complete programming to address violence, criminal thinking, and victim empathy. He has satisfied all program requirements and is employed in the institution. He teaches music theory and provides guitar lessons to other inmates. He has strong family support.

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 the context of an offender convicted of first or second-degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015); See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015).

The factors considered by the Board in Mr. Miranda's case include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.* The Board also recognizes the petitioners right to be represented by counsel during his appearance before the Board. *Id.* at 20-24. In forming this opinion, the Board has taken into consideration Mr. Miranda'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. Miranda's risk of recidivism. Applying this standard to the circumstances of Mr. Miranda's case, the Board is of the unanimous opinion that Joao Miranda is rehabilitated and, therefore, merits parole at this time.

**Special Conditions:** Reserve to ICE detainer – Cape Verde or approved home plan if not deported; Waive work for two weeks; Curfew – Must be at home between 10pm and 6am; ELMO-electronic monitoring; 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; Counseling for adjustment/transition.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.*

  
Pamela Murphy, General Counsel

12/1/22  
Date