

The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF  
JOELL MADERA  
W87853

**TYPE OF HEARING:** Initial Hearing  
**DATE OF HEARING:** April 1, 2021  
**DATE OF DECISION:** November 1, 2021

**PARTICIPATING BOARD MEMBERS:** Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, 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 that the inmate is not a suitable candidate for parole.<sup>1</sup> Parole is denied with a review in one year from the date of the hearing.

**I. STATEMENT OF THE CASE**

On June 5, 2006, in Franklin Superior Court, Joell Madera pleaded guilty to second-degree murder in the death of 19-year-old Anthony Alves and was sentenced to life in prison with the possibility of parole. On that same date, Mr. Madera pleaded guilty to witness intimidation and was sentenced to a concurrent term of 6 to 7 years in state prison.

In the early evening hours of November 12, 2004, co-defendant Carlos Madera was visiting friends on the first floor of Hope Street in Greenfield before traveling home to Northampton. Sometime after midnight, while Carlos 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

<sup>1</sup> Three Board Members voted to grant parole to a LTRP (Long Term Residential Program) after one year in lower security. Three Board Members voted to deny parole with a review in two years from the date of the hearing. Due to a split vote, parole is denied with a review in one year from the date of the hearing.

Carlos Madera, who stated that he would return to Greenfield to deal with the situation. Joell Madera (age 18), Santos Diaz, and Samuel Diaz joined Carlos 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 as Mr. Alves fled. The four co-defendants got into their car and caught up with Mr. Alves, attacking him with their hands, feet, and sword. During the attack, Mr. Alves punched Joell Madera. The four co-defendants left the scene, but they returned moments later when Carlos Madera realized that Joell Madera had been injured by Mr. Alves. 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, as well as 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, resulting in severe internal injuries. Mr. Madera and his co-defendants were arrested on November 14th.

## **II. PAROLE HEARING ON APRIL 1, 2021**

Joell Madera, now 35-years-old, appeared before the Parole Board on April 1, 2021, for an initial hearing. He was not represented by counsel. In his opening statement to the Board, Mr. Madera apologized to the Alves' family and expressed remorse for his actions. When the Board questioned him as to his role in the governing offense, Mr. Madera explained that he had struggled with anger at the time, characterizing himself as a "follower." Further, he was eager to prove himself to his older brother, co-defendant Carlos Madera.

Mr. Madera stated that the four co-defendants had gathered to drink various alcoholic beverages on the night of the offense, and that he and Carlos Madera took ecstasy pills. The group traveled to Greenfield with Carlos Madera and immediately sought out a man, later identified as Anthony Alves. The group of co-defendants chased Mr. Alves as he attempted to flee. Mr. Madera reported that he was the first to strike Mr. Alves with his fist (after Mr. Alves swung at his brother), and Mr. Alves struck him in return. Mr. Madera reported that other members of the group joined in beating Mr. Alves, noting that Carlos Madera used a knife and Santos Diaz used a sword. The group left, but they returned a few moments later when Carlos Madera noticed that Mr. Madera was bleeding from his nose due to a blow from Mr. Alves. The group then attacked Mr. Alves a second time. Mr. Madera stated that he did not participate in the second attack, but rather, he watched as Carlos Madera stabbed Mr. Alves and Santos Diaz struck Mr. Alves with the sword.

The Board expressed concern that Mr. Madera's testimony at the hearing minimized his role in the attack, considering the facts to which he pleaded guilty. Further, statements from witnesses suggested that Mr. Madera also wielded the sword at one point in the attack. Mr. Madera, however, denied ever using a sword to strike the victim. When Board Members questioned him about his institutional adjustment, Mr. Madera admitted that he struggled during the first several years of his incarceration. His mindset changed substantially in 2009, after he was stabbed by another inmate. He told the Board he then began to dedicate himself fully to his rehabilitation, indicating that the circumstances of the attack helped him to develop empathy for Mr. Alves and his family. Mr. Madera's last disciplinary report was incurred in 2009.

Mr. Madera has obtained his GED and participated in several programs, including Alternatives to Violence, a Restorative Justice Retreat, Criminal Thinking, and Violence Reduction. He reported that he engages in cultural practices that emphasize respect and patience. Mr. Madera also serves as a trainer for the Alternatives to Violence program. He stated that he was employed in Culinary Arts, but presently works with the Environment Group.

Mr. Madera said that he has not consumed alcohol or drugs since the evening of Mr. Alves' death. Although he claims not to need substance abuse education or prevention, Mr. Madera has expressed openness to engaging in additional programming efforts. During the hearing, Mr. Madera described a difficult childhood, stating that he was frequently physically abused and degraded by his stepfather. He reflected that the abuse he suffered contributed to his anger and insecurity at the time of the governing offense. Mr. Madera reported that portions of the above-referenced programs have assisted him in processing the abuse he suffered and addressing the impact of such trauma.

The Board considered testimony in opposition to parole from Mr. Alves' parents. The Board considered testimony and a letter in opposition to parole from Northwestern County Assistant District Attorney Tom Townsend.

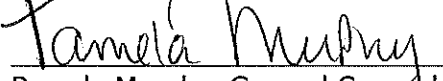
### **III. DECISION**

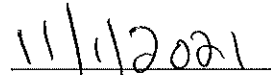
As a result of a split decision, the Board is of the opinion that Joell Madera has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Madera will have his next review in one year from the date of the hearing. The Board remains concerned that Mr. Madera is minimizing his role in the governing offense and is not being honest and forthright. Mr. Madera needs to establish a support system and to engage in substance-abuse treatment in order to better prepare himself for reentry.<sup>2</sup>

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 opinion that Joell Madera is not rehabilitated and, therefore, does not merit parole at this time.

Mr. Madera's next appearance before the Board will take place in one year from the date of this hearing. During the interim, the Board encourages Mr. Madera to 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.*

  
Pamela Murphy, General Counsel

  
Date

<sup>2</sup> Three Board Members voted the following: reserve to a Long-Term Residential Program after one year in lower security. Mr. Madera has been in custody over 16 years. During this time, he invested in his rehabilitation, as he completed numerous programs [and has had an] overall positive adjustment. He was 18-years-old at the time of the offense. He has been sober since committing the offense. Mr. Madera has gained [his] GED, occupational skills training and other programs directly related to his needs. Mr. Madera is requesting pre-release to complete [the] automotive program.