



**Charles D. Baker**  
Governor

**Karyn Polito**  
Lieutenant Governor

**Daniel Bennett**  
Secretary

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

*12 Mercer Road*  
*Natick, Massachusetts 01760*

*Telephone # (508) 650-4500*  
*Facsimile # (508) 650-4599*



**Paul Treseler**  
Chairperson

**Michael J. Callahan**  
Executive Director

**DECISION**

**IN THE MATTER OF**

**JULIO CARDOSO**

**W87221**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** May 2, 2017

**DATE OF DECISION:** February 13, 2018

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler, Dr. Charlene Bonner, Sheila Dupre, Tina Hurley, Lucy Soto-Abbe, Tonomey Coleman

**DECISION OF THE BOARD:** After careful consideration of all relevant facts, including the nature of the underlying 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 parole is reserved to a United States Immigration and Customs Enforcement (ICE) detainer.

**I. STATEMENT OF THE CASE**

On March 2, 2006, in Brockton Superior Court, a jury found Julio Cardoso guilty of second-degree murder and unlawful carrying of a firearm. He was sentenced to life in prison with the possibility of parole. Mr. Cardoso also received a sentence of two and a half years for the firearm conviction, to be served concurrent with his life sentence.

On the night of June 2, 2002, Mr. Cardoso shot and killed John Oehlschlagel (the boyfriend of Mr. Cardoso's former girlfriend) in Brockton. Mr. Cardoso (age 23) and his friend had driven down Calmer Street in Brockton, where Mr. Cardoso had seen his former girlfriend in the company of Mr. Oehlschlagel. Mr. Cardoso stated to his friend that his girlfriend was out there, so they turned around, went back, and stopped about 7 or 8 feet from where she and Mr. Oehlschlagel were standing. Mr. Cardoso and Mr. Oehlschlagel knew, but did not like, each other. With the passenger window down, Mr. Cardoso called out to his former girlfriend, "Antonita, come here." Mr. Oehlschlagel, who was standing next to her, asked, "Who are



they?" Mr. Cardoso then pulled out a .380 caliber handgun, pointed it out the window, and fatally shot Mr. Oehlschlagel in the chest.

## **II. PAROLE HEARING ON MAY 2, 2017**

Julio Cardoso, now 38-years-old, appeared before the Parole Board on May 2, 2017, for an initial parole hearing. He was not represented by counsel. In Mr. Cardoso's opening statement, he apologized to the family of Mr. Oehlschlagel, as well as to his own family and members of the community. He also apologized to the detectives to whom he initially lied about the murder. Mr. Cardoso expressed remorse for his actions and stated that he now fully understands what he did. He said that while incarcerated, he realized that he needed to make changes to become a better person. He stated that he is no longer the same person he was in the car on the night of the murder. Mr. Cardoso asserted that he now "respects everyone" and would "never again harm or hurt another human being."

During the hearing, Mr. Cardoso recounted his childhood and his background. Mr. Cardoso was born in Angola and moved to Cape Verde when he was 7-days-old. He lived in Cape Verde with his grandmother, sister, and brother until he was about 9-years-old. In Cape Verde, he was a "slow learner" and that a lot of his family members used to call him "stupid" and a "dummy." Mr. Cardoso also noted that in Cape Verde, teachers were permitted to hit students for not giving correct answers. At around 9-years-old, Mr. Cardoso came to the United States, where he resided in Brockton. He graduated from Brockton High School, where he excelled at playing soccer. After graduating, he resided with his mother. He indicated that during this time, he was not always working. When he was employed, however, he would contribute to the household. Mr. Cardoso became affiliated with a local Brockton gang, but stated that he did not have any specific role within the gang. When questioned about this past criminal activity, Mr. Cardoso indicated that he used to carry guns and smoke marijuana, but denied ever selling drugs. He stated that he wanted to have a gun "just to show off" and, during this time, he would drink and smoke marijuana almost every day. Mr. Cardoso stated that he was a part of the gang for approximately 6 years, but has since renounced his affiliation.

Mr. Cardoso stated that on the night of the murder, he was at a house party on Walnut Street until approximately 12:00 a.m. He and his friend left to drive around and smoke marijuana. As they were driving, Mr. Cardoso saw his former girlfriend standing with some people with whom he did not get along, including Mr. Oehlschlagel. Mr. Cardoso had previously learned that his former girlfriend was in a relationship with Mr. Oehlschlagel. He instructed his friend, who was driving, to turn around and go back to where he saw them. His intention was to get his former girlfriend into the car with him, in order to embarrass the individuals she was with by "taking their girl." When he called out to her, she pretended that she didn't know him, so he yelled out his name. When he did this, Mr. Oehlschlagel stated something that made him feel embarrassed and hurt his pride. Mr. Cardoso said that he intended to hurt Mr. Oehlschlagel, but that he did not intend to kill him. When he fired the gun, Mr. Oehlschlagel took off running, so Mr. Cardoso didn't believe that the bullet had struck him. At that point, he went back to the house party. He did not know that Mr. Oehlschlagel had died until the next morning, when police came to his home. When questioned by the police, Mr. Cardoso denied involvement with the murder.



Mr. Cardoso stated that he began taking responsibility for his actions during his appeal process, which he decided to end. When the Board asked Mr. Cardoso why he stopped his appeal, he stated that he wanted to be released from prison, so that he could be with his grandmother. When his grandmother passed away in 2009, he decided that he no longer wished to continue with the appeals process. The Board noted that during the time Mr. Cardoso has been incarcerated in state prison, he has had no incidents of violence. During his incarceration, Mr. Cardoso participated in several educational programs such as computer skills and welding, as well as math and English classes. Mr. Cardoso also participated in many rehabilitative programs including Alcoholics Anonymous ("AA"), Jericho Circle, Criminal Thinking, Able Minds, Alternatives to Violence, and Restorative Justice. He attends bible study and ministry services. Mr. Cardoso received his welding and OSHA certifications. If Mr. Cardoso were to return to Cape Verde, he stated that he has family with whom he can stay. He also stated that he has family in Brockton, where he could stay in the event he was permitted to remain in the United States. Mr. Cardoso stated that his cousin is a counselor, who is willing to assist him in slowly integrating back into society.

The Board considered the testimony of Mr. Cardoso's cousin, two sisters, mother, and nephew, all of whom expressed support for his release. The Board also considered the testimony of Plymouth County Assistant District Attorney Keith Garland, who spoke in opposition to Mr. Cardoso's parole.

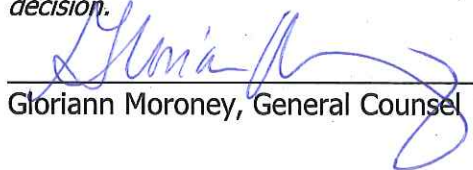
### **III. DECISION**

Mr. Cardoso has had an extremely positive adjustment, coupled with the completion of numerous programs. Incarceration has served its purpose. According to his LS/CMI, Mr. Cardoso is a medium risk.

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. Cardoso'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. Cardoso's risk of recidivism. After applying this standard to the circumstances of Mr. Cardoso's case, the Board is of the unanimous opinion that Mr. Cardoso merits parole at this time, subject to special condition(s).

**SPECIAL CONDITIONS:** Mr. Cardoso's parole permit is granted subject to his release into the custody of the United States Immigration and Customs Enforcement ("ICE"). ICE has issued a detainer on Mr. Cardoso as a result of his order of deportation to Cape Verde on January 6, 2015.

*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.*

  
Gloriann Moroney, General Counsel

2/13/18  
Date