



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

LEYTON BURGOS
W61311

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: May 6, 2025

DATE OF DECISION: October 14, 2025

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, James Kelcourse, Rafael Ortiz

VOTE: Parole is granted to a Long-Term Residential Program after 6 months in lower security.

PROCEDURAL HISTORY: On September 23, 1996, following a jury trial in Hampden Superior Court, Leyton Burgos was found guilty of accessory before the fact to murder and received a life sentence without the possibility of parole. On that same date, he was found guilty of conspiracy to commit murder, and the charge was filed. While Mr. Burgos was serving his sentence on the governing offense, he was arraigned out of Norfolk Superior Court on June 13, 2000, and charged with two counts of assault & battery with a dangerous weapon. On both counts, he received a 2.5 year from and after sentence of his governing offense.

Mr. Burgos became parole eligible following the Supreme Judicial Court's decision in Commonwealth v. Mattis, 493 Mass. 216 (2024), where the court held that sentencing individuals who were ages 18 through 20 at the time of the offense (emerging adults) to life without the possibility of parole is unconstitutional. As a result of the SJC's decision in regard to Mr. Burgos' first-degree murder conviction, he was re-sentenced to life with the possibility of parole after 15 years.

On May 6, 2025, Mr. Burgos appeared before the Board for an initial hearing. He was represented by Attorney Amy Belger. The Board's decision fully incorporates by reference the entire video recording of Leyton Burgos' May 6, 2025, hearing.

STATEMENT OF THE CASE: On May 28, 1994, 19-year-old Leyton Burgos participated in the shooting death of 22-year-old Sylvia Ramirez in Springfield. At the time, Mr. Burgos was a member of [STG1], a Security Threat Group active in the city of Springfield. Ms. Ramirez was a member of a rival Security Threat Group [STG2]. Mr. Burgos was an "enforcer" for [STG1], but expressed his desire to be elevated to the position of "chief warlord," saying that that it would be necessary to "hit five people" to be promoted. The day before the murder, Mr. Burgos met with several members of [STG1], discussing where the "mission" would take place and assigning roles to others who would participate. Mr. Burgos suggested the mission take place at Ms. Ramirez's home, stating that as "godmother" of [STG2], she "had to die."

On May 28, three members of [STG1] met up with Mr. Burgos and asked if he knew "what was up." Mr. Burgos was given confirmation that they understood the mission was to kill a member of [STG2]. They departed in a stolen vehicle toward Ms. Ramirez's home. Mr. Burgos was seated in the rear of the vehicle, along with another member who was driving. He abruptly asked to be let out, stating that he needed to get to "the Getty," a gasoline station where [STG1] members often congregated. The driver offered to give Mr. Burgos a ride, but Mr. Burgos declined and instructed the members to "just keep going." Mr. Burgos did not tell the members to abort or otherwise abandon the mission. The driver approached the home of Ms. Ramirez and saw a group of [STG2] members, identifiable by their STG colors. The passenger pointed a firearm out the window and fired five or six shots. Ms. Ramirez, who was sitting on the front steps with several friends, was struck on the right side of her head by a projectile from the firearm. Ms. Ramirez died of a brain injury resulting from the gunshot wound.¹

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board.

Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). Individuals who were emerging adults at the time of the offense must be afforded a "meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation" and the Board evaluates "the circumstances surrounding the commission of the crime, including the age of the offender, together with all relevant information pertaining to the offender's character and actions during the intervening years since conviction." Id. (citing Diatchenko v. District Attorney for the Suffolk Dist., 466 Mass. 655, 674 (2013) (Diatchenko I); Miller v. Alabama, 567 U.S. 460, 471 (2012); Graham v. Florida, 560 U.S. 48, 75

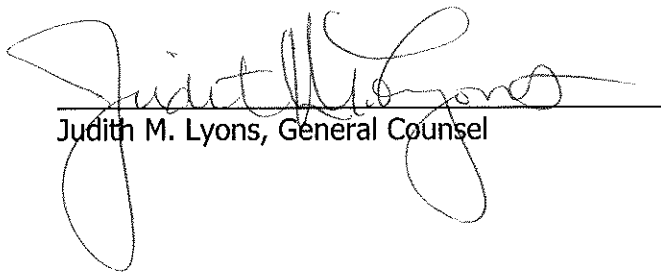
¹ Statement of Case taken from Commonwealth vs. Leyton Burgos 462 Mass. 53. Decided April 17, 2012.

(2010)). Since brain development in emerging adulthood is ongoing, the Board also considers the following factors when evaluating parole candidates who committed the underlying offenses as an emerging adult: 1) a lack of impulse control in emotionally arousing situations; 2) an increased likelihood to engage in risk taking behaviors in pursuit of reward; 3) increased susceptibility to peer influence which makes emerging adults more likely to engage in risky behavior; and 4) an emerging adult's greater capacity for change. See Mattis, 493 Mass. at 225-229.

DECISION OF THE BOARD: Mr. Burgos made his initial appearance before the Board after the SJC's Mattis decision. He has been incarcerated for 31 years. The Board considered Mr. Burgos' age at the time of offense and how the Mattis factors apply to Mr. Burgos' involvement in the underlying crime, including the influence of gang involvement. Mr. Burgos renounced any affiliation early during his incarceration. He scores low risk on the LS/CMI. He is currently participating in Violence Reduction programming. He has completed Victim Offender Education Group, Family Violence Education Group, Alternatives to Violence, and Restorative Justice Retreat. Mr. Burgos has maintained consistent employment throughout his incarceration. The Board concludes by unanimous decision that Mr. Burgos has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society. The Board considered public testimony both in support of, and in opposition to, parole, including that of Mr. Burgos' supporters, members of the victim's family, and Assistant District Attorney Motherway of the Hampden District Attorney's Office.

SPECIAL CONDITIONS: Waive work for 2 weeks or program; Electronic monitoring for 6 months, then at PO's request; 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; May have contact with [named individuals]; Must have mental health counseling for adjustment; Long Term Residential Program

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.



Judith M. Lyons, General Counsel

10/14/25
Date