

The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF  
MIGUEL LOZADA  
W64576

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** April 6, 2021

**DATE OF DECISION:** October 7, 2021

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

**STATEMENT OF THE CASE:** On May 4, 1998, in Hampden Superior Court, Miguel Lozada pleaded guilty to the second-degree murder of Juan Cruz Santiago and was sentenced to life in prison with the possibility of parole.

Mr. Lozada appeared before the Parole Board for a review hearing on April 6, 2021, and was represented by Attorney Melissa Allen Celli. This was Mr. Lozada's third appearance before the Board having been denied in 2011 and 2016. The entire video recording of Mr. Lozada's April 6, 2021, 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, 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 Interstate Compact Florida but not before six months in lower security. Mr. Lozada was 17-years-old at the time of the offense. He has an excellent support system. The Board as well as the District Attorney's office noted his strong support network and parole plan. He has had a positive adjustment overall and his conduct has significantly improved. Mr. Lozada has taken significant steps to renounce his security threat group affiliation. He has committed to his rehabilitation to include being the co-founder of the Mending Souls program, Stitch for Life, as well as a facilitator in the Youthful Offenders Coalition. Through these programs he has demonstrated an increased capacity for

empathy. Considering his age and length of incarceration, Mr. Lozada will benefit from a successful transition through lower security.

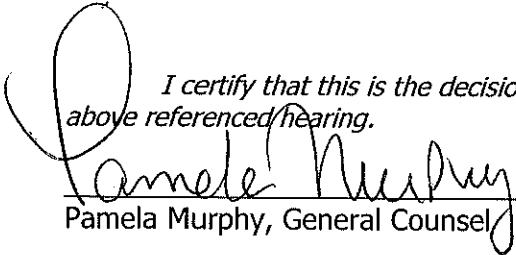
The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the 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).

In forming its opinion, the factors considered by the Board 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 has also taken into consideration Mr. Lozada's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. In addition, the Board considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Lozada's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Lozada's case, the Board is of the opinion that Mr. Lozada is rehabilitated and merits parole at this time.

**Special Conditions:** Reserve Interstate Compact – Florida after six months in lower security; Approved home plan before release; Waive work for two weeks; Must be at home between 10 p.m. and 6 a.m.; ELMO-electronic monitoring; Must take prescribed medication; 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 or association/affiliation with security threat groups; No contact with victim(s) family; Must have substance abuse evaluation and adhere to plan; Must have mental health 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

10/17/2021  
Date