



The Commonwealth of Massachusetts
Executive Office of Public Safety

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760



Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

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

Josh Wall
Chairman

DECISION

IN THE MATTER OF

ORLANDO LOMAN

W58706

TYPE OF HEARING: **Review Hearing after Revocation**

DATE OF HEARING: **December 6, 2011**

DATE OF DECISION: **September 12, 2012**

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Dr. Charlene Bonner, Shelia Dupre, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: Re-parole after 18 months in lower custody at the Department of Correction. The remainder of the time at the Department of Correction must be completed without disciplinary incident and in compliance with all Department of Correction recommendations for rehabilitation programs and activities. The decision is by a vote of 6-1.

I. STATEMENT OF THE CASE

On December 6, 2011, Orlando Loman appeared before the Massachusetts Parole Board for a review hearing. Mr. Loman was initially paroled on July 12, 2010, but was revoked on January 27, 2011 for having contact with his co-defendant, Raborn Allah.

On May 23, 1995, Mr. Loman pled guilty in Hampden Superior Court to second degree murder. The victim of this crime was George Greer. On the same date he also pled guilty to armed assault with intent to murder (15-20 years), armed assault in a dwelling or house (15-20 years), assault with a dangerous weapon (3-4 years), and ABDW (guilty filed). All sentences were concurrent with the life sentence for second degree murder.

Mr. Loman's co-defendants are Raborn Allah (AKA David Warrick, W58709) and Norman Dumpson (W58717). Mr. Dumpson received 18 to 20 years for Manslaughter and was released from custody in 2006. Mr. Allah was released on parole on August 21, 2009 and was revoked at the same time as Mr. Loman.

Mr. Loman's offenses followed the murder of William "York" Warrick, a father-figure to Mr. Loman. On March 5, 1994, Mr. Loman had been at a night club drinking with friends. Late that evening, he and his co-defendants followed a car driven by Mr. Greer because Mr. Loman wanted to question the victim as to his role in Mr. Warrick's murder. When Mr. Greer stopped and exited his car near a pizza shop, Mr. Loman got out of his vehicle armed with a semi-automatic gun, approached Mr. Greer, and shot Mr. Greer multiple times. Mr. Allah carried a firearm that he did not fire.

According to Mr. Loman, prior to his arrest, he had learned that Donald Woods had told police that Mr. Loman and his accomplices had been seeking Mr. Greer. On March 16, 1994, Mr. Loman and another man, Shawn Bynam went to Mr. Woods' home for retaliation and intended on killing Mr. Woods. Mr. Loman stated that he remained in the car while Mr. Bynam entered the house and shot Mr. Woods. Mr. Woods later identified Mr. Loman as the shooter. Mr. Loman however, denied this claim stating that he remained in the vehicle while Mr. Bynam went inside.

Mr. Loman has a history of alcohol and marijuana use, and acknowledges being under the influence of these substances on the evening that he murdered Mr. Greer. He also acknowledges selling cocaine on a weekly basis during this time period.

II. PAROLE AND INSTITUTIONAL HISTORY

On February 19, 2009, Orlando Loman went before the Parole Board for his initial parole hearing. The Board voted on March 31, 2009 to parole after six months in pre-release. Following the Board's decision, Mr. Loman was eventually transferred to minimum security on August 11, 2009 and then classified to pre-release on October 14, 2009. In December 2009, Mr. Loman received a disciplinary report for fighting, which he pled guilty to. This resulted in re-classification and he was returned to medium security. On May 5, 2010 the Parole Board voted not to affirm the rescission and to grant parole to a long-term residential program.

He was released on parole on July 12, 2010 to Festa's Reentry House in East Boston. He completed that program on December 31, 2010, subsequently securing housing at a rooming house across the street from the Festa's Reentry House where he continued to attend meetings. Mr. Loman did incur a graduated sanction on September 12, 2010 for failing to keep in contact with his parole officer and was issued a warning. Since that time, Loman appeared compliant in all regards, attending AA/NA and employed as an ironworker.

On January 27, 2011, Mr. Loman's parole was revoked. Evidence indicated that co-defendants Loman and Allah were regularly associating via telephone. According to statements by both men, the contact was initiated by a third person interested in assisting Allah to secure stable housing. During the revocation process, Mr. Loman did lack candor and was not initially forthright with the Parole staff and Board Members (at his revocation hearing) as he provided misleading and false information about the extent of his contacts with his co-defendant.

Mr. Loman is serving his first state incarceration. Mr. Loman has one return to higher custody and a total of 6 disciplinary reports. He received a disciplinary report in December 2009 for fighting while in pre-release. He pled guilty at his hearing and was sent back to medium security, which jeopardized his initial parole status.

Since being back in state custody, Mr. Loman has picked up one minor disciplinary report for being out of place by being in his unit and not at his scheduled appointment in the school. Mr. Loman said he did not realize he had the appointment.

While incarcerated, Mr. Loman participated in a variety of programs including Anger Management, Substance Abuse and Recovery Maintenance Group (several certificates), Health Awareness Peer Education Program, Emotional Awareness, Alternatives to Violence, the Correctional Recovery Academy, the Fatherhood program and a variety of writing workshops. In addition, Mr. Loman took part in the NEADS program, Project Wake-up and the Graduate Maintenance Program of CRA. He has also obtained his GED and his Welding Certificate since being incarcerated.

Following his revocation, Mr. Loman was incarcerated at MCI-Cedar Junction where he participated in Toast Masters and worked in the kitchen as a cook. Since his transfer to MCI-Shirley he signed up for and was just recently admitted into the Money Management Program and had been working in the Recreation Department of the facility.

III. PAROLE HEARING ON MAY 17, 2011

At his presentment, Mr. Loman recognized the need to be forthright with his Parole Officer and adhere to the conditions of his parole. By all accounts, Mr. Loman was a productive member of the community and adhering to the conditions of parole. The number of people involved in his life who testified favorably at his hearing evidenced a very strong support network that would enhance his reintegration.

If paroled, Mr. Loman would request to resume his employment with a construction company. Mr. Loman stated that a former boss, Christopher Santini, would be helping him find an apartment. Mr. Santini owns a few houses/apartments that Mr. Loman would be able to move into. Mr. Santini did speak in support of Mr. Loman at his hearing. Before his parole violation, Mr. Loman was an active member of the Local 7 Iron Worker's Union and was attending Apprenticeship school at night. If paroled he would return to these positions. Co-workers testified in support of parole and described Mr. Loman as a hard-working and cooperative employee.

IV. DECISION

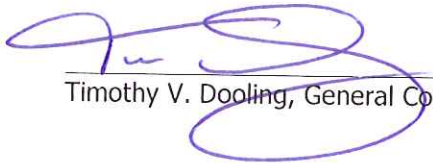
Mr. Loman had notable achievements on parole by completing a long-term residential program, securing and performing a good job, and building contacts in the community. Mr. Loman shows no sign that he presents a current risk for violence. It is the conclusion of the Board, by a vote of 6-1, that Mr. Loman's release on parole is not incompatible with the welfare of society and it is reasonably probable that he will not commit a criminal offense if released. Accordingly, re-parole is granted. The decision requires the inmate to serve 18 months of incarceration in lower security (including pre-release) prior to release to an approved home plan. The additional incarceration will ensure that all four goals of sentencing - punishment, deterrence, public protection and rehabilitation - have been met. Board Member Michel dissents, noting that Mr. Loman committed a serious execution-style murder and was implicated in a

subsequent attack on a witness, received a disciplinary report for a fight after a positive parole vote, and attempted to conceal a parole violation.

Receipt of a disciplinary report prior to release would subject Mr. Loman to the rescission process. A period of incarceration at a pre-release facility will allow Mr. Loman to pursue his goals with respect to employment while maintaining close supervision and confinement. His productive employment while on parole provides a sufficient basis to conclude that gradual re-entry with employment is a safe and secure plan for community re-integration.

SPECIAL CONDITIONS: Eighteen months of incarceration in lower security prior to a reserve to a an approved home plan; no drug or alcohol use with testing required monthly for three years; and AA or NA three times per week.

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



Timothy V. Dooling, General Counsel

9-12-12

Date