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PAROLE BOARD

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Charlene Bonner
Chairperson

DECISION

IN THE MATTER OF

RICKEY ALFORD

W59381

TYPE OF HEARING: Review Hearing

DATE OF HEARING: March 24, 2015

DATE OF DECISION: May 6, 2015

PARTICIPATING BOARD MEMBERS: Tonomey Coleman, Sheila Dupre, Lee Gartenberg, Ina Howard-Hogan, Tina Hurley, and Lucy Soto-Abbe.

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 the inmate is not a suitable candidate for parole. Parole is denied with a review in five years from the date of the hearing.

I. STATEMENT OF THE CASE

On October 5, 1995, in Worcester Superior Court, Rickey Alford pleaded guilty to murder in the second degree and was sentenced to life in prison with the possibility of parole.¹ Unrelated to his Massachusetts murder case, Alford also pleaded guilty to manslaughter on July 30, 1999, in the Parish of Orleans District Court in the State of Louisiana, and received a sentence of 15 years to run concurrent with his Massachusetts life sentence. The murder in Louisiana occurred six months before Alford murdered Mr. Suarez in Massachusetts.

¹ There are two co-defendants charged with lesser offenses; Jose Enrique Rivera and Miguel Rios. In October 1995, in Worcester Superior Court, Rivera received one to three years for accessory after the fact of murder and two and a half years suspended for receiving stolen property. In October 1995, in Worcester Superior Court, Rios received two and a half years suspended for receiving stolen property.

On February 16, 1995, the body of Julio B. Suarez was found in a parking lot in Andover by employees of a local company who were taking a walk. The autopsy report determined that Mr. Suarez had died from multiple blows to the skull from a blunt object. After investigation, police were led to three individuals in Clinton: Rickey Alford, Jose Enrique Rivera, and Miguel Rios. A statement from one of the co-defendants (Rivera) revealed that Alford had stated prior to the killing that he would like to kill Mr. Suarez due to a dispute regarding theft. Both of the co-defendants said that Alford lured Mr. Suarez into his apartment by claiming he had a phone call. Once inside the apartment, Alford severely beat Mr. Suarez with a baseball bat. After he beat Mr. Suarez to death, Alford dragged the body to the bathtub and left him there while he cleaned the blood from the rug. Alford and his co-defendants then went shopping at the mall. The next morning, Rivera helped Alford wrap the body, move the body into a van, and drive to Andover where they dumped the body in a parking lot. Each co-defendant received \$200 from Alford from money taken from the victim's wallet. Alford kept the remainder of the victim's money for himself.

II. PAROLE HEARING ON MARCH 24, 2015

Rickey Alford, now 50-years-old, appeared for his second parole hearing after being denied parole in 2010 at his initial hearing before the Board. He is currently incarcerated at MCI-Norfolk. Harvard Law School student attorneys, Nathan Woods and Susana Cervantes, represented Alford at the hearing. Alford provided an opening statement in which he expressed his remorse for the trauma, pain, and heartache he has caused to the victim's family. He described his behavior as cowardly, stating that he didn't know how to deal with anger or manage conflict. Alford informed the Board that he has used his 20 years in prison to address his deficits and, through his involvement in treatment and programming, is now a changed man. Student Attorney Woods also provided an opening statement that cited, in part, that "Alford has so drastically improved himself, and has been successful in navigating the dynamic, complex, and often dangerous world of prison, providing compelling evidence that he is prepared to live freely as a non-violent and productive member of society."

Alford was orphaned at the age of four months in New Orleans, Louisiana. As a ward of the state, he was raised and remained in foster care until age 18. He described his upbringing as unstable, resulting from numerous placements in group homes, foster homes, and shelters. During the hearing, Alford described the sexual abuse he suffered in a group home at age 10, resulting in a long period of hospitalization. At age 15, he was hospitalized a second time for depression for a period of eight to nine months. Although he attended high school, he found the academic portion difficult, acknowledging his reading level was equivalent to that of a fourth grader upon entrance into the MA Department of Correction. He contends that it was often difficult to obtain employment due to his lack of a formal education. To support himself, he sought out temporary employment in the fields of construction, plumbing, and fishing. His longest period of employment was as a used car salesman. At the age of 20, he met Linda Bazzelle, who became his girlfriend and the mother of his three children. Their relationship dissolved eight years later when she left him for another man. In December 1992, Ms. Bazzelle was granted sole custody of their three children and, in April 1994, Alford lost visitation privileges and was no longer involved in his children's lives.

Alford left Louisiana in October 1994 and traveled to Massachusetts in pursuit of employment and with the hope of regaining custody of his children. When he left Louisiana, Alford was under investigation for the August 27, 1994 murder of Lester Hansen. Alford claims that he murdered Mr. Hansen in a rage because Mr. Hansen had allegedly molested his children. In this case, two co-defendants helped him get rid of Mr. Hansen's body by dumping it in a bayou. Alford was originally charged with the first degree murder of Hansen during the perpetration (or attempted perpetration) of an aggravated burglary, but he later pleaded guilty to manslaughter. In May 1998, he was remanded to the Louisiana authorities to answer on the murder charges out of Louisiana. Alford pleaded guilty to manslaughter on July 30, 1999, in the Parish of Orleans District Court, in the State of Louisiana, and received a sentence of 15 years to run concurrent with his Massachusetts life sentence. Alford was subsequently returned to the MA Department of Correction in April 2000. Alford was paroled to his Massachusetts sentence from his Louisiana sentence on February 26, 2010 and recently concluded his Louisiana sentence entirely.

Alford has been incarcerated for 20 years and has participated in and completed several programs. The Department of Correction records indicate that Alford has completed programming to address his issues with violence, such as Anger Management and three phases of Non-Violent Conflict Resolution. Since his last parole hearing, Alford has not participated in any formal programming, but is currently on the waitlist for the Able Minds program. He has remained employed and currently works in the Industries Clothing Department. A mental health evaluation conducted in December 2004 indicates that from November 1995 through December 2004, Alford was engaged in mental health treatment. The evaluation indicates that Alford was treated for auditory hallucinations, decreased sleep, and depressed symptoms. The report indicates that Alford was initially treated with prescription medication, but that he is no longer on medication.

Alford informed the Board that he understood the Parole Board's reasoning for his 2010 denial of parole; he reiterated that the Board did not deem his version of the offenses as plausible. He indicated at his 2010 hearing that he mixed up his crimes, resulting in the confusion. He informed the Board that, through his participation in mental health counseling and violence reduction, he now possesses skills to diffuse anger and deal with conflict in an appropriate manner. He also spoke to the importance of asking for help and talking about his emotions and feelings. He does not perceive drugs or alcohol to be an issue and, in accordance with departmental records, there is no indication of substance use in the past 20 years.

The Parole Board questioned Alford, at length, regarding his criminal history. Alford provided a detailed and comprehensive version of events surrounding the murder of Mr. Suarez that is in conflict with all known facts. Alford contends that he murdered Mr. Suarez after an argument ensued between the two over the use of a telephone. He continues to dispute the fact that he killed the victim after luring him into the apartment, in order to ensure that the victim not tell their employer that Alford had been stealing from him. He described his actions as cowardly when he beat Mr. Suarez to death with a baseball bat and then discarded the body in a parking lot in an attempt to conceal the gruesome murder. The Parole Board was most interested in learning whether Alford understands the factors that caused him to commit such a heinous crime, as well as the factors that contributed to the murder of Lester Hansen, six months prior. He informed the Board that, to this day, he doesn't know why he killed Mr. Suarez, stating, "I flipped, I flipped my switch." He went on to explain that he was consumed

with anger and depression after murdering a man in Louisiana for allegedly raping his children and he just "snapped." He said that his attempt to conceal his criminal behavior was due to fear.

Alford seeks parole to a long term residential program after a gradual transition through lower security. He conveyed that he would utilize the resources available through Span, Inc. as he reintegrates. Alford has very limited support in the community. There was no one present in support of Alford's release, nor were there any written submissions of support from the public.

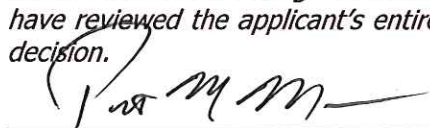
Mr. Suarez's family members attended the hearing in opposition of Alford's petition for parole. Mr. Suarez's son and daughters spoke in staunch opposition. Worcester County Assistant District Attorney Michelle King submitted a letter and spoke in opposition, outlining the District Attorney's position regarding Alford's petition for parole. ADA King cited, "There is simply no indication that Mr. Alford will refrain from criminal acts in the future. Mr. Alford's failure to take full responsibility for the murders of two men within a six month period, and his lack of recent programming, give ample warning that his parole would eventually and unnecessarily expose the public to serious risk of harm."

III. DECISION

Alford has been incarcerated for 20 years for the murder of Julio Suarez. The Parole Board remains of the opinion that Alford lacks candor, as his version of the offense remains inconsistent with witness testimony and that, despite his acknowledgement of guilt and responsibility, he exhibits little remorse for his crimes. He continues to minimize his culpability, not only in the murder of Mr. Suarez, but in the murder of Mr. Hansen a mere six months earlier. The Board concedes that Alford has maintained a positive adjustment and has availed himself of programming and treatment, but remains concerned by his inability to be forthright regarding his criminal behavior that resulted in two gruesome and brutal murders. In addition, it does not appear that Alford has benefitted from the programs and treatment he has engaged in to the extent that the Parole Board expects. Alford is encouraged to address the areas of concern by the Board and to invest in his rehabilitation.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that "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." Applying that appropriately high standard here, it is the unanimous opinion of the Board that Rickey Alford does not merit parole at this time. The review will be in five years from the date of this hearing.

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.


Peter Mimmo, Staff Attorney

5/1/2015
Date