

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Gina K. Kwon
Secretary

Telephone: (508)-650-4500

Facsimile: (508)-650-4598

Angelo Gomez, Jr.
Chair

Lian Hogan
Executive Director

RECORD OF DECISION

IN THE MATTER OF

SAMMY GARCIA
W66256

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: September 30, 2025

DATE OF DECISION: March 11, 2026

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Sarah B. Coughlin, Angelo Gomez Jr., James Kelcourse, Rafael Ortiz

VOTE: Parole is granted on or after 6 months in lower security to an approved home plan.¹

PROCEDURAL HISTORY: On March 2, 2000, following a jury trial in Middlesex County Superior Court, Sammy Garcia was convicted of murder in the first-degree for the death of Khedy Leang². He was sentenced to life in prison without the possibility of parole. On that same date, he was also sentenced to a concurrent term of 4 to 5 years for unlawful possession of a firearm. These sentences were ordered to be served concurrently with the sentences he was serving at the time.

On March 24, 1999, following a jury trial in Middlesex County Superior Court, Mr. Garcia was convicted of two counts of assault and battery by means of a dangerous weapon, and he was sentenced to a term of 9 to 10 years on the first count and a from and after term of 2 to 3 years on the second count. A charge of assault and battery was placed on file.

On May 2, 2003, Mr. Garcia was convicted of assault and battery by means of a dangerous weapon and was sentenced to a term of 8 to 9 years to be served concurrently with the sentences

¹ One Board Member voted to deny parole with a review in 2 years from the date of the hearing.

² At the time he committed the murder, Mr. Garcia had been indicted on two counts of armed assault with intent to murder, two counts of ABDW, and one count of assault and battery, offenses he committed on January 3, 1997. He had been released from custody after posting bail on these offenses when he committed the murder. As described above, on March 24, 1999, he was convicted of two counts of ABDW and was sentenced to 9 to 10 years on the first count and a from and after term of 2 to 3 years on the second, and the assault and battery charge was placed on file.

he was serving at the time. On that same date, he was convicted of two additional counts of assault and battery by means of a dangerous weapon and was sentenced to a from and after term of 2 to 3 years, and four counts of assault and battery on a correctional officer and was sentenced to a term of 2½ years, to be served concurrently with his 2 to 3 year sentence. These charges stemmed from Mr. Garcia's assault upon correctional officers at Souza Baranowski Correctional Center (SBCC) on May 24, 2001. In addition to receiving the above sentences, he was also sanctioned with 10 years in the Disciplinary Detention Unit (DDU).

Mr. Garcia 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 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 regarding his first-degree murder conviction, Mr. Garcia was re-sentenced to life with the possibility of parole after 15 years.

On September 30, 2025, Mr. Garcia appeared before the Board for an initial hearing. He was represented by Attorney Patty DeJuneas. The Board's decision fully incorporates by reference the entire video recording of Mr. Garcia's September 30, 2025 hearing.

STATEMENT OF THE CASE: On April 16, 1998, 20-year-old Sammy Garcia shot and killed 13-year-old Khedy Leang in Lowell. Earlier that day, Mr. Garcia's cousin was stabbed on the premises of Lowell High School and admitted to Lowell General Hospital. The assailant was reported to have been an Asian male. Mr. Garcia was upset about the stabbing and, using racial slurs, expressed a desire to avenge his cousin's stabbing. He asked his co-defendant to help him obtain a firearm.

Mr. Garcia went to the hospital that afternoon to visit his cousin. Mr. Garcia told him that he had a gun and would "take care" of him. Mr. Garcia and his co-defendants left the hospital and when they neared School Street, Mr. Garcia told the driver to stop. He got out of the car and walked up to Khedy Leang, who was walking nearby. Mr. Garcia shot him once and watched him fall to the ground. He then shot Khedy Leang three more times. When his co-defendant asked why he did it, Mr. Garcia replied "because of my cousin." Khedy Leang did not survive his injuries.

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.

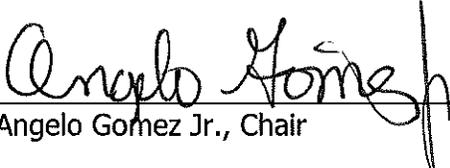
Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). 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 (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. Garcia presented for the first time before the Board. He was 20-years-old at the time of the offense. He is now 47-years-old and has served 27 years. Mr. Garcia began to invest in self-development prior to the Mattis decision. Mr. Garcia has completed numerous programs to address his need areas and has been employed during incarceration. Mr. Garcia's gang renunciation was accepted by the Department of Correction. He was forthcoming about his criminal history, motive for offense, and negative lifestyle. Mr. Garcia invested in Restorative Justice and is currently a mentor in the Brave Unit. He has sustained a long period of positive adjustment and has been sober since 2013. The Board considered the expert forensic report and testimony from Dr. Adams, who deemed Mr. Garcia low risk for violence and low risk for recidivism in rendering its decision. Mr. Garcia has a significant support system to assist with re-entry. Mr. Garcia has a release plan that will address his ongoing needs. The Board considered testimony from Mr. Garcia's family members in support of parole. The Board also considered testimony from Middlesex ADA Alisha Walsh in opposition to parole. The Board concludes that Mr. Garcia has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Approve home plan prior to release; Waive work for 2 weeks; Must be home between 10 PM and 6 AM for 6 months; Electronic monitoring for 6 months; 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 with victim(s)' family; Must have mental health counseling for adjustment; Must participate in individual and/or group substance abuse counseling.

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.



Angelo Gomez Jr., Chair

March 11, 2026
Date