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The Commonwealth of Massachusetts *Executive Office of Public Safety and Security*

PAROLE BOARD

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Paul M. Treseler
Chairman

Michael J. Callahan
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DECISION

IN THE MATTER OF

WILLIAM RAMOS

W55984

TYPE OF HEARING: Review Hearing

DATE OF HEARING: November 22, 2016

DATE OF DECISION: May 15, 2017

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Lucy Soto-Abbe

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.¹ After successful adjustment to nine months in lower security, parole is granted to a long term residential program with special conditions.

I. STATEMENT OF THE CASE

On February 28, 1994, in Hampden Superior Court, William Ramos pled guilty to second-degree murder and was sentenced to life in prison with the possibility of parole. That same day, he was also sentenced to concurrent terms of 18 to 20 years for armed robbery, 8 to 10 years for kidnapping, and 3 to 5 years for unlawful possession of a firearm.²

On the evening of March 19, 1984, 17-year-old William Ramos and his two (older) co-defendants, Juan Torres and Ezequiel Rodriguez, followed 31-year-old Arthur Matte out of a Springfield bar. Mr. Ramos asked him for a cigarette and then pulled out a gun, forcing the victim into a car. All three co-defendants beat the victim and rummaged through his wallet and

¹ Five Board Members voted to parole Mr. Ramos after completion of nine months in lower security. One Board Member voted to parole Mr. Ramos after completion of one year in lower security.

² There are two co-defendants in this case, Ezequiel Rodriguez and Juan Torres.

pockets. Mr. Ramos then shot the victim once in the back. One co-defendant pulled the car over, and the other co-defendant took him from the car and left him on the side of the highway. A hitchhiker later discovered the victim's body and called police. An autopsy report revealed that the cause of death was the gunshot wound to the back. Following the murder, Mr. Ramos fled Massachusetts and remained at large until 1993.

II. PAROLE HEARING ON NOVEMBER 22, 2016

Mr. Ramos, now 50-years-old, appeared before the Parole Board for a review hearing and was represented by Attorney Laura Afling and Attorney Melanie Roberts. Mr. Ramos was denied parole after his 2008 initial hearing. He was also denied parole after his review hearing in 2013. In his opening statement to the Board, Mr. Ramos expressed his remorse for taking the life of Mr. Matte and for its resulting impact on the victim's family. He specifically apologized to the victim's son, stating that he is not the same person he was at the time of the murder. He explained that initially, he and his mother and siblings lived in Brooklyn, New York, where he was part of a gang. When he was 15-years-old, his mother decided to move the family to Massachusetts with the hope of getting him to change his behavior, as well as his affiliations. However, when Mr. Ramos moved to Springfield, he joined a local gang. At 17-years-old, Mr. Ramos said he was angry, naive, and reckless. At the time of the murder, he was drinking alcohol and smoking marijuana daily (habits that he started at age 13). He was also homeless and not in school. Mr. Ramos said that he turned to his gang for inclusion and purpose.

In describing the night of the murder, Mr. Ramos said that he and his (older) co-defendants had the initial intent of selling the firearm for cash. When they were unsuccessful, they decided to rob Mr. Matte. Mr. Ramos had the gun and forced the victim into the car at gunpoint, where all three co-defendants then punched and kicked him. Mr. Ramos said that when Mr. Matte started yelling back and trying to defend himself, he shot him once in the back. The Board asked Mr. Ramos to explain what made him escalate to the point of shooting someone. Mr. Ramos said that his extreme violence and impulsivity resulted from a multitude of anger and emotions at that time in his life.

The Board noted that although he had a poor adjustment when first incarcerated, Mr. Ramos should be commended for changing his path and focusing on rehabilitation. Mr. Ramos said that he has been sober for 23 years and attends AA/NA several times a week. He formally renounced his gang affiliation (while incarcerated in 2000) and has not relapsed. He also completed numerous Department of Correction sanctioned programs over the years, including obtaining his GED in 1999. Since his last hearing three years ago, Mr. Ramos described the most meaningful programs he completed as: Alternatives to Violence, Four Agreements, Pathways to Freedom, and Toastmasters. In addition, Mr. Ramos has been steadily employed throughout his incarceration and is currently employed in the kitchen at MCI-Shirley. He also receives positive work and housing evaluations.

Mr. Ramos told the Board that, if paroled, he requests a gradual transition through lower security and pre-release and, then, enrollment in a long term residential program. After successful completion of the long term residential program, he would find employment in maintenance, janitorial work, or another job based on his institutional training and employment history. He also cited large family support in the Springfield area.

Mr. Ramos had several family members in attendance at the hearing. In addition, Andrea Kelly, a Social Worker for the Committee for Public Counsel Services, provided oral testimony in support of parole. Dr. Fabian Saleh, a forensic and adolescent psychiatrist, presented his findings from an evaluation of Mr. Ramos. Hampden County Assistant District Attorney Jennifer Fitzgerald spoke in opposition to parole.

III. DECISION

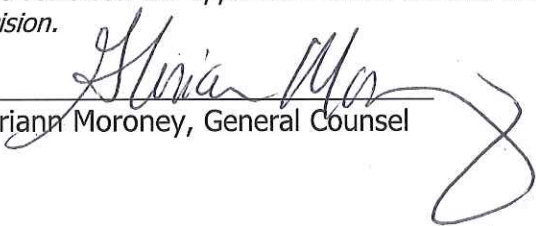
William Ramos has been incarcerated for 23 years. The Board believes that Mr. Ramos has embraced rehabilitation and addressed his causative factors to include substance abuse, anger management, and criminal thinking. Mr. Ramos has demonstrated that he is a suitable candidate for parole at this time.

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). 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.*

In forming this opinion, the Board has taken into consideration Mr. Ramos' institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Ramos' risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Ramos' case, the Board is of the unanimous opinion that William Ramos is a suitable candidate for parole. Parole is granted to a long term residential program after successful adjustment to nine months in lower security.

SPECIAL CONDITIONS: Waive work for Long Term Residential Program; Must be home between 10:00pm and 6:00am; Electronic monitoring; 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 substance abuse evaluation and adhere to plan; Must have mental health counseling for adjustment/transition; Long Term Residential Treatment; Mandatory After Incarceration Support Systems (AISS) full intake.

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.



Gloriann Moroney, General Counsel

5/15/17
Date