



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

FELIX COLON

W81832

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **August 11, 2022**

DATE OF DECISION: **December 5, 2022**

PARTICIPATING BOARD MEMBERS¹: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On April 20, 2003, after a jury trial in Worcester Superior Court, Felix Colon was found guilty, and sentenced to serve life in prison with the possibility of parole, for one count of rape of a child and 5 counts of unnatural rape of a child, all to run concurrently. The victim of this offense was a 7-year-old girl. In addition, he received a concurrent 9 to 10-year sentence for indecent assault and battery of a child and 4 to 5 years concurrent on two counts for disseminating material harmful to a minor. On a charge of unnatural rape of a child, he received a 10-year probation from and after his sentence.

Mr. Colon appeared for his second parole hearing on August 11, 2022. He was not represented by counsel. Mr. Colon was denied parole after his initial hearing in 2017. The entire video recording of Mr. Colon's August 11, 2022, 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 not a suitable candidate for parole.

¹ Former Chair Gloriann Moroney was no longer a board member at the time of the vote.

The Board is of the opinion that Felix Colon has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Colon is serving life sentences for multiple counts of rape of a child. For over one year, Mr. Colon repeatedly sexually assaulted the seven-year-old niece of his girlfriend. Mr. Colon recently completed the SOTP in 2021. The Board remains concerned that Mr. Colon fails to appreciate the depth of his victimization as he made statements throughout the hearing that appeared to shift the blame to the victim and her family. During the hearing, Mr. Colon stated that at the time of the offense he was just looking to satisfy his "needs." The Board revisited his PPG results from past years and reviewed the most recent evaluation from the SOTP providers. The Board feels he needs to continue working towards understanding the motivation behind his criminal activity. This crime requires Mr. Colon to demonstrate a significant period of intensive treatment and the absence of deviant fantasies or behavior. The Board does not feel he has reached that level of rehabilitation 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 forming this opinion, the Board has taken into consideration Mr. Colon's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Colon's risk of recidivism. After applying this standard to the circumstances of Mr. Colon's case, the Board is of the unanimous opinion that Felix Colon is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Colon's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages him to continue working towards his full rehabilitation.

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


Pamela Murphy, General Counsel

12/5/22
Date