

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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Chair

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Executive Director

RECORD OF DECISION

IN THE MATTER OF

FELIX JIMENEZ
W88504

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **June 9, 2022**

DATE OF DECISION: **October 13, 2022**

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre¹, Tina Hurley, Colette Santa²

STATEMENT OF THE CASE: On October 17, 2006, in Suffolk Superior Court, Felix Jimenez was found guilty of second-degree murder in the death of 29-year-old Benjamin Ayala. He was sentenced to life in prison with the possibility of parole. On that same date, Mr. Jimenez was also convicted of unlawful possession of a firearm and sentenced to a concurrent term of 4 to 5 years.

Mr. Jimenez appeared before the Parole Board for a review hearing on June 9, 2022. He was not represented by counsel. This was Mr. Jimenez's second appearance before the Board having been denied following his initial hearing in 2019. The entire video recording of Mr. Jimenez's June 9, 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 a suitable candidate for parole.

Reserve to Interstate Compact Florida but not before six months in lower security. On August 11, 2004, Mr. Jimenez shot and killed 29-year-old Benjamin Ayala. Mr. Jimenez accepts full responsibility for the murder and expressed remorse at the hearing. Mr. Jimenez was exposed to violence and crime from a young age. He has enrolled in programming, engaged in

¹ Board member Dupre participated in the hearing but was no longer a board member at the time of the vote.
² Chair Moroney was recused.

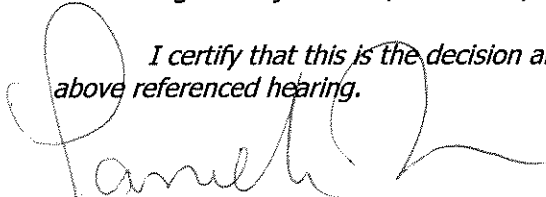
counseling, and remained disciplinary report free. He has demonstrated he is motivated to live a pro-social lifestyle through working on his anger and obtaining professional certificates and his GED. The Board notes he has strong family support that will aid in his transition. Mr. Jimenez will benefit from a gradual transition through lower security.

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."

In forming this opinion, the Board has taken into consideration Mr. Jimenez'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. Jimenez's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Jimenez's case, the Board is of the unanimous opinion that Mr. Jimenez is rehabilitated and merits parole at this time.

Special Conditions: Reserve to Interstate Compact Florida; Waive work for two weeks; ELMO-electronic monitoring at PO's discretion; 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 counseling for adjustment/transition; AA/NA at least 3 times/week.

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



Pamela Murphy, General Counsel

10/13/22
Date