

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

Susan Terrey
Interim Secretary

Telephone: (508)-650-4500
Facsimile: (508)-650-4599

Tonomey A. Coleman
Acting Chair

Lian Hogan
Executive Director

RECORD OF DECISION

IN THE MATTER OF

JAMES FOLEY
W96622

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **May 8, 2025**

DATE OF DECISION: **October 14, 2025**

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, James Kelcourse, Rafael Ortiz

VOTE: Parole is granted to CRJ or LTRP after 90 days in lower security.

PROCEDURAL HISTORY: On June 7, 2010, after a jury trial in Middlesex Superior Court, James Foley was found guilty of second degree murder in the death of Steven Raftery. He was sentenced to life in prison with the possibility of parole. Mr. Foley's parole was denied after his initial hearing in 2023. On May 8, 2025, Mr. Foley appeared before the Board for a review hearing. He was not represented by an attorney. The Board's decision fully incorporates by reference the entire video recording of Mr. Foley's May 8, 2025, hearing.

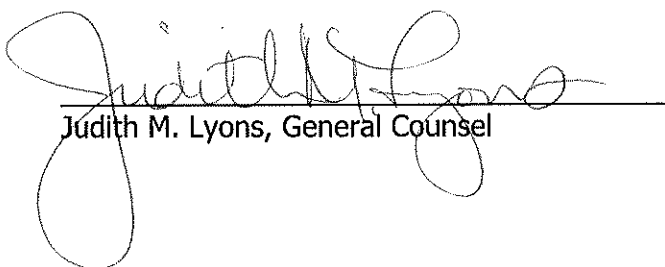
STATEMENT OF THE CASE: On June 26, 2008, James Foley stabbed Steven Raftery 2 times in the basement of a two-family home in Cambridge. Earlier that evening, Mr. Raftery, Mr. Foley, and three others were in the basement of the home, smoking crack cocaine and drinking beer. At approximately 9:45 P.M., Mr. Foley and Mr. Raftery decided to break into a convenience store located nearby. Mr. Raftery broke a glass window and entered the store, while Mr. Foley served as a look-out. Although Mr. Raftery told Mr. Foley that the store's cash register would contain several hundred dollars, the register only contained a few dollars. When the men returned to the two-family home, they began arguing about the money. Mr. Foley then took out a large kitchen knife and stabbed Mr. Raftery twice in the chest. One of the men called 911 and, when police arrived, Mr. Raftery was found dead. Several witnesses told police what had transpired, and Mr. Foley was soon arrested.

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 incarcerated individual’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 incarcerated individual’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 incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual’s testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board.

DECISION OF THE BOARD: This is Mr. Foley’s second appearance before the Board. He has participated in Restorative Justice. He is currently enrolled in Victim Impact. He has a minimal disciplinary report history. He presented with empathy and insight. He has maintained his sobriety. He has been employed for the past year in the Industries Program. The Board considered testimony from Mr. Foley’s daughter and girlfriend in support of parole. The Board considered testimony from Mr. Raftery’s sister, as well as Middlesex County Assistant District Attorney Alicia Walsh, in opposition to parole.

SPECIAL CONDITIONS: Waive work for 2 weeks; 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; Residential program - LTRT/CRJ.

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.



Judith M. Lyons, General Counsel

10/14/25
Date