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

**PAROLE BOARD**

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Paul Treseler  
Chairperson

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Executive Director

**DECISION**  
**IN THE MATTER OF**

**KEN YATTI JORDAN**

**W66096**

**TYPE OF HEARING:** Initial Hearing  
**DATE OF HEARING:** October 29, 2015  
**DATE OF DECISION:** January 28, 2016

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler, Dr. Charlene Bonner, Sheila Dupre, Tonomey Coleman, Ina Howard-Hogan, 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 not a suitable candidate for parole. Parole is denied with a review scheduled in four years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On February 8, 1999, in Suffolk Superior Court, Ken Yatti Jordan was convicted of the first degree murder of Joseph Dozier and unlawful possession of a firearm. A sentence of life in prison was imposed on Mr. Jordan for the murder of Mr. Dozier. Mr. Jordan was also sentenced to a concurrent term of not more than 5 years and not less than 4 years in prison, for the conviction of unlawful possession of a firearm. Mr. Jordan was 17 years old at the time of Mr. Dozier's murder. Currently, he is 39 years old.

During February of 1994, Mr. Jordan was living at the Ambrose House, a facility for juvenile delinquents administered by the Department of Youth Services. On the day of Mr. Dozier's death, February 21<sup>st</sup>, Mr. Jordan signed himself out of the Ambrose house.



Later that evening Mr. Jordan and his co-defendant, Antonio Jones, met Mr. Dozier near the Boston Latin Academy in Roxbury. Just prior to being shot and killed by Mr. Jordan and Mr. Jones, Mr. Dozier yelled "Oh no, man no". Mr. Dozier turned and attempted to flee the scene but collapsed. When police arrived on the scene they discovered Mr. Dozier already deceased. Subsequent investigation indicated Mr. Dozier had been shot eighteen times.

## **II. PAROLE HEARING ON OCTOBER 29, 2015**

Mr. Jordan came before the Parole Board on October 29, 2015 for an initial hearing. Mr. Jordan gave an opening statement to the Board, in which he apologized for his actions. Mr. Jordan was represented by Attorneys Harris Krinsky and Scott M. Hulkan during his appearance before the Board.

During the course of the hearing, he spoke about the night of the murder. According to Mr. Jordan, he had spent the afternoon preceding the homicide with Mr. Jones. At approximately 6:00 PM, Mr. Jordan and Mr. Jones were at Mr. Jones' house listening to music when Mr. Jones received a phone call. After the phone call, Mr. Jones told Mr. Jordan that he needed to go meet Mr. Dozier at the Boston Latin Academy. Before leaving, both he and Mr. Jones armed themselves with pistols. When they arrived at Boston Latin Academy, Mr. Jordan and Mr. Jones stood on a platform between two staircases.

After Mr. Dozier approached, he and Mr. Jones began to argue as Mr. Jordan stood off to the side. The argument escalated when Mr. Jones removed his pistol and fired 2 to 3 rounds into Mr. Dozier's chest. Mr. Jordan then drew his weapon as well, shooting Mr. Dozier multiple times. Mr. Dozier turned and ran as Mr. Jordan and Mr. Jones continued to fire as they chased him down the stairs. Mr. Dozier collapsed on the street, at which point Mr. Jordan fired 2 to 3 more times. Mr. Jones then re-loaded his pistol, stood over Mr. Dozier, and fired until his gun was empty. Mr. Jordan and Mr. Jones then fled the scene. When they returned to Mr. Jones' house they hid their pistols behind a baseboard. At some point Mr. Jones received a second phone call. Both Mr. Jordan and Mr. Jones then socialized with two female acquaintances at Mr. Jones' house. After a few hours Mr. Jordan left and returned to the Ambrose House, where he signed himself back in. Later that night Mr. Jordan confided in a friend regarding what had happened to Mr. Dozier.

When questioned by the Board, Mr. Jordan addressed his behavior prior to and during his incarceration. Mr. Jordan explained to the Board that he had been doused with gasoline earlier in his life and severely burned during an attempted robbery when he was 13 years old. He cited this experience as a turning point in his life and the time when he started to gravitate toward criminal behavior. According to Mr. Jordan, he was involved in multiple robberies and shootings for which he was never prosecuted. He also explained that witnesses would rarely appear to testify against him in court. While serving his sentence, Mr. Jordan has been involved in numerous disciplinary incidents, including an escape attempt.

Mr. Jordan admitted to the Board that he has not taken advantage of many programming opportunities during his incarceration. Mr. Jordan explained his lack of motivation as being the result of his expectation that he would remain in custody for the entirety of his life. Of the programs Mr. Jordan has taken advantage of, he described an educational course in philosophy as being the most beneficial. More recently in 2014 and 2015, Mr. Jordan has engaged in programming designed to address violence reduction and his anger management issues. Mr. Jordan explained that this programming has helped him to learn that he cannot allow other people's attitudes to effect his own, and to think before he acts. According to Mr. Jordan, there are no additional programs available to him at his current correctional facility.



In addition to Mr. Jordan, the Board also received live testimony from numerous witnesses, both in support of and in opposition to Mr. Jordan's petition for parole. The Board considered testimony from members of Mr. Jordan's family, all of whom expressed support for his release. Mr. Jordan's mother described the transition he has gone through since his incarceration began. Mr. Jordan's sister expressed the emotional loss she felt from not having his presence in her life. Mr. Jordan's other sister expressed her willingness to support Mr. Jordan's re-entry back into society. Mr. Jordan's grandfather explained the bond he developed with him during his childhood.

Mr. Jordan also presented testimony from Kimberly Mortimer, a Forensic Mental Health Clinician, who expressed her professional opinion that Mr. Jordan was a good candidate for parole. Ms. Mortimer based her opinion on an evaluation of the static and dynamic risk factors affecting Mr. Jordan's risk of recidivism. According to Ms. Mortimer, Mr. Jordan's activities during his incarceration have reduced the dynamic factors affecting his risk of recidivism and thus improved the probability of his success on parole. Specifically, Ms. Mortimer highlighted Mr. Jordan's pursuit of his education, abstinence from substance abuse, and the positive relationships he has developed during his incarceration as factors that have improved the likelihood of his successful reentry into society. Ms. Mortimer also noted that Mr. Jordan's family support network, his plans to move out of state and obtain employment as a chef and his intent to engage re-entry services as being important to Mr. Jordan's success on parole.

Testimony from members of Mr. Dozier's family and the Suffolk County District Attorney's Office was also taken under consideration. Mr. Dozier's grandmother described the emotional process she experienced in coming to peace with Mr. Dozier's murder. Mr. Dozier's uncle discussed his experiences with Mr. Dozier as a child and described the emotional toll Mr. Dozier's death took on his mother. Assistant District Attorney (ADA) Paul Linn testified on behalf of the Suffolk County District Attorney's Office. ADA Linn highlighted the violent nature of Mr. Dozier's murder and Mr. Jordan's criminal history as the basis for his argument to deny parole.

### **III. DECISION**


The Board is of the opinion that Mr. Jordan has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes a longer period of positive institutional adjustment and programming would be beneficial to Mr. Jordan's rehabilitation.


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 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.* The Board also recognizes the petitioner's right to be represented by counsel during his appearance before the Board. *Id.* at 20-24.

After applying this standard to the circumstances of Mr. Jordan's case, the Board is of the opinion that Mr. Jordan is not yet rehabilitated and his release is not compatible with the welfare of society. Mr. Jordan, therefore, does not merit parole at this time. Mr. Jordan's next appearance before the Board will take place in four years from the date of the hearing related to this decision. During the interim, the Board encourages Mr. Jordan 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. 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.*

  
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Michael J. Callahan, Executive Director

  
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Date