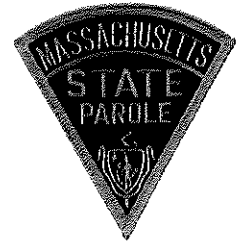


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



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RECORD OF DECISION

IN THE MATTER OF

LUIS FLORES
W53273

TYPE OF HEARING: Review Hearing

DATE OF HEARING: January 25, 2024

DATE OF DECISION: April 10, 2024

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse

VOTE: Parole is granted to CRJ after 120 day step-down to lower security.¹

PROCEDURAL HISTORY: On September 30, 1992, in Middlesex Superior Court, Luis Flores pleaded guilty to two counts of murder in the second degree for the deaths of Jose Luis Guerra and Fermin Tiburcio. He was sentenced to life in prison with the possibility of parole. He was also convicted of armed robbery and armed assault in a dwelling, for which he received a 20 to 25-year consecutive sentence. Parole was denied after an initial hearing in 2007, and after review hearings in 2012, 2017, and 2021. On January 25, 2024, Mr. Flores appeared before the Board for a review hearing. He was represented by Attorney Frank Herrmann. The Board's decision fully incorporates, by reference, the entire video recording of Mr. Flores' January 25, 2024 hearing.

STATEMENT OF THE CASE: In the days leading up to the murders of Mr. Guerra (age 25) and Mr. Tiburcio (age 30), 21-year-old Luis Flores devised a plan to rob the men of money and cocaine. Mr. Flores recruited Pablo Flores (Mr. Flores' brother), Felix Figueroa, Reinaldo Hernandez, Lance Taylor, and Wilfredo Vazquez to assist in the robbery. Mr. Flores coordinated the entire robbery by setting up the time and outlining the role that each co-defendant was to serve. On the evening of February 14, 1992, the men met at Mr. Flores' house. Mr. Flores went to the victims' apartment, armed with a .25 caliber handgun. His cohorts were armed with a

¹ Two Board Members voted to parole directly to CRJ.


sawed-off shot gun and other weapons, as well. The armed robbery took place later that evening and into the early morning hours of February 15. During the commission of the robbery, Mr. Flores murdered both victims "execution style" with his handgun. On February 26, 1992, following a police investigation, Mr. Flores gave a statement to police admitting to the murders.

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 (if applicable).

DECISION OF THE BOARD: Since Mr. Flores' last hearing, he has committed to his rehabilitation and completed coursework through BC and Mt. Wachusett Community College. He is motivated to complete his degree. He works in the woodshop. He has been disciplinary report free since his last hearing. Despite his history of violence, Mr. Flores has committed to his education and has exhibited personal growth. He has developed a non-profit to help youth, based on his woodworking skills. The Middlesex District Attorney's Office opposed parole. Mr. Flores' girlfriend spoke in support. The Board concludes that Mr. Flores has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Waive work for two weeks; Curfew at Parole Officer's discretion; Electronic Monitoring at Parole Officer'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)' families; Must have substance abuse evaluation and must comply with recommended treatment plan; Counseling for transition issues; Residential program - CRJ Program.

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.


Tina M. Hurley, Chair


Date