



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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Acting Executive Director

RECORD OF DECISION

IN THE MATTER OF

MICHAEL BENJAMIN

W91384

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: February 2, 2023

DATE OF DECISION: April 10, 2023

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

STATEMENT OF THE CASE: On January 25, 2008, following a jury trial in Suffolk Superior Court, Michael Benjamin was convicted of Armed Robbery and Assault by Means of a Dangerous Weapon. On January 28, 2008, after a jury-waived trial, Mr. Benjamin was adjudicated as a Habitual Criminal and the court sentenced him to life in prison with the possibility of parole for the Armed Robbery conviction and a concurrent term of four to five years for the Assault by Means of a Dangerous Weapon conviction.

Mr. Benjamin appeared before the Parole Board for an initial hearing on February 2, 2023. He was not represented by counsel. The entire video recording of Mr. Benjamin's February 2, 2023, 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.

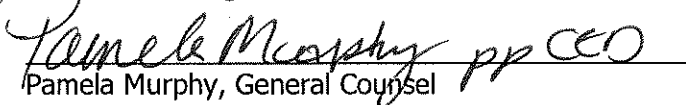
The Board is of the opinion that Michael Benjamin has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Reserve to Community Resources for Justice or long-term residential program after six months in lower security. On January 31, 2007, Mr. Benjamin, then 49 years old, robbed a woman at knifepoint

in Jamaica Plain. Mr. Benjamin is 65 years old and suffers from multiple medical issues. He has been sober for sixteen years after a lengthy battle with addiction. He has had minimal disciplinary infractions throughout his incarceration. Mr. Benjamin presented a realistic parole plan, and identified his support network, to include family members. The Board notes he participated in the Cadre Program as well as Violence Reduction. He is on the waitlist for Emotional Awareness. The Board agrees with Mr. Benjamin that he would benefit from counseling while on parole supervision to ensure he is in compliance with his relapse prevention plan and to further reflect upon the impact of his crime on himself, his victims, and the community at large.

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. Benjamin'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. Benjamin's risk of recidivism. After applying this standard to the circumstances of Mr. Benjamin's case, the Board is of the unanimous opinion that Michael Benjamin is rehabilitated and, therefore, merits parole at this time.

Special Conditions: Reserve to CRJ or LTRP; Waive work for SSI/Disability; Curfew – Must be at home between 10pm and 6am; ELMO-electronic monitoring; 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); No contact with victim's family; Counseling for adjustment/transition/addiction; 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

April 10, 2023
Date