

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

ROLANDO JIMENEZ
W38747

TYPE OF HEARING: Review Hearing

DATE OF HEARING: March 29, 2022

DATE OF DECISION: July 31, 2023

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Colette Santa

STATEMENT OF THE CASE: On February 9, 1982, following a jury trial in Middlesex Superior Court, Rolando Jimenez was convicted of murder in the second degree for the August 31, 1981 shooting death of 31-year-old Holliston Police Officer John Johnson. Mr. Jimenez was sentenced to life imprisonment with the possibility of parole. On that same date, he was convicted of larceny of a stolen motor vehicle and received a consecutive 3-5 year sentence.

Between 1982 and 2007, Mr. Jimenez filed multiple motions for new trial and appeals, all of which have been denied. Parole was denied following prior hearings in 1999, 2004, 2009, 2014 and 2019. Mr. Jimenez appeared before the Board for a review hearing on March 29, 2022. He was represented by John Fitzpatrick and two student attorneys from the Harvard Prison Legal Assistance Project. The entire video recording of Mr. Jimenez's March 29, 2022 hearing is fully incorporated by reference into 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 that the inmate is a suitable candidate for parole.

Parole reserve on/after 6 months in lower security to approved home plan.¹ On 2/9/82, in Middlesex Superior Court, Rolando Jimenez was found guilty of second-degree murder in the shooting death of 31-year-old Holliston Police Officer John Johnson. This was Mr. Jimenez's sixth appearance before the Parole Board. He was last seen on March 29, 2022. He was represented by Attorney John Fitzpatrick (Harvard PLAP) and he was provided with a Spanish interpreter.


The Board voted action pending as attorney requested to have independent LSCMI conducted. The Board has reviewed a psychological consultation (Date of report 2/18/2023) by Dr. Mendoza that included an LSCMI. Dr. Mendoza also provided additional assessments that included neurocognitive testing. Most notably, his report (LSCMI) scores Mr. Jimenez as low risk for recidivism. Mr. Jimenez has been incarcerated for over 41 years. He has participated [in], and appears to have benefitted from, rehabilitative programs. He has sufficiently addressed [the] Board's concerns and will benefit from individualized counseling to assist with adjustment and transitional needs. He has not had a sanctioned disciplinary report in 20 years. [The] Board also notes he has significant health issues, including recent history of prostate cancer.

[The] Board also notes significant opposition from [the] victim's wife and Holliston Police community. Victim's wife, Holliston Police Officer, former Holliston Police Chief and retired Lieutenant, and the Assistant District Attorney all testified in opposition to his parole. Mr. Jimenez has served over 41 years of incarceration on a second-degree life sentence. He was 22 years old at the time of the offense. He is now 64. Based on all relevant factors, including institutional record, rehabilitative investment, and risk assessments, [the] Board finds Mr. Jimenez meets the legal standard for parole.

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. 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 standard to the circumstances of Mr. Jimenez's case, the Board is of the opinion that Mr. Jimenez is rehabilitated and, therefore, merits parole, subject to special conditions.

Special Conditions: Reserve on/after 6 months in lower security to approved home plan; Waive work for 2 weeks; Curfew 10PM-6AM, or at Parole Officer's discretion; 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 family; Must have substance abuse evaluation and follow recommendations; Must have mental health counseling for adjustment; Sign releases of information for counseling.

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

07/31/2023

Date

¹ One Board Member voted to deny parole with a 2-year review.