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PAROLE BOARD

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Tina M. Hurley
Chair

RECORD OF DECISION

IN THE MATTER OF

SHANE BESTER

W96677

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: November 17, 2022

DATE OF DECISION: January 18, 2023

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

STATEMENT OF THE CASE: On January 17, 2010, after a jury trial in Plymouth Superior Court, Mr. Bester was convicted of second-degree murder in the death of Adilson Pires and was sentenced to life in prison with the possibility of parole. On the same date, Mr. Bester received a concurrent eighteen to twenty-year (later revised to a thirteen to fifteen-year) sentence for possession of a firearm without a license.

Mr. Bester appeared before the Parole Board for an initial hearing on November 17, 2022. He was represented by student attorneys from Boston College Law School. The entire video recording of Mr. Bester's November 17, 2022, 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 not a suitable candidate for parole.

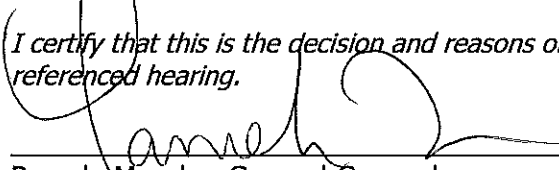
The Board is of the opinion that Shane Bester has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. On January 8, 2008, 26-year-old Mr. Bester shot and killed 24-year-old Adilson Pires. The Board acknowledges Mr. Bester has completed rehabilitative programming. However, his own complex trauma history is a risk factor, and it does not appear that he has thoroughly addressed this through programming or counseling. The Board finds that Mr. Bester would

benefit from programs that would address victim empathy, such as Restorative Justice, Cognitive Skills, and/or Emotional Awareness. Mr. Bester should maintain a positive adjustment free from disciplinary infractions. He would benefit from vocational training to prepare him for employment in the community. The Board encourages him to obtain his barber's license.

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. Bester'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. Bester's risk of recidivism. After applying this standard to the circumstances of Mr. Bester's case, the Board is of the unanimous opinion that Shane Bester is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Bester's next appearance before the Board will take place in two years from the date of this hearing. During the interim, the Board encourages him 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.



Pamela Murphy, General Counsel

1/18/23
Date