

COMMONWEALTH OF MASSACHUSETTS – PLYMOUTH DISTRICT
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**DISTRICT ATTORNEY CRUZ EXPRESSES DISAPPOINTMENT
IN ERNEST FERNANDES DECISION**

BROCKTON – Plymouth County District Attorney Timothy J. Cruz today expressed disappointment in the decision to grant parole to Ernest Fernandes, who was convicted of the 1994 brutal murder of Christopher Bender.

“We are disappointed that Mr. Fernandes has been set free,” DA Cruz said. “Mr. Fernandes and this group of men deliberately ambushed the victim execution style as he sat in his car. Mr. Bender’s family changed in an instant that day but it was a long time before Mr. Fernandes showed any sense of remorse for committing this cold-blooded, senseless murder.”

In July, 1994, Fernandes (DOB: 9/3/74) was found guilty of one count of deliberate premeditated first degree murder in the killing of 17-year-old Bender. An aspiring rap artist, Bender was shot execution style by a group of men, including Fernandes, as he sat in a car outside the Crescent Court housing project in Brockton. He was sentenced to serve life in prison without the possibility of parole.

DA Cruz’s Office spoke in opposition of Fernandes’ parole release before the board at a hearing held on April 30th. Plymouth County Assistant District Attorney Suzanne McDonough testified that Fernandes was not a suitable candidate for parole and should continue with his rehabilitation behind bars.

In December 2014, the Massachusetts Supreme Judicial Court ruled that juveniles could not serve life sentences without parole because their brains were not fully developed when they committed the crime. The decision was retroactive, meaning all people in the state convicted of first-degree murder when they were minors including Fernandes, could be re-sentenced to life in prison with the possibility of parole. This ruling made Fernandes eligible for parole.

In its decision, dated August 26th, the Parole Board states, “the four goals of sentencing - punishment, deterrence, rehabilitation, and public protection -- have been met.”

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