



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

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DECISION

IN THE MATTER OF

EDWARD CHISHOLM

W36877

TYPE OF HEARING: Review Hearing
DATE OF HEARING: December 13, 2011
DATE OF DECISION: October 24, 2012

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Dr. Charlene Bonner, Sheila Dupre, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, institutional record, the views of the public as expressed at the hearing or in written submissions to the Board, we conclude by a unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in five years.

I. STATEMENT OF THE CASE

In the early morning hours on June 29, 1978, Mr. Chisholm stabbed and beat Albert Mullen to death in the Dennis house of Mr. Mullen's girlfriend. The two men met at a bar in Dennis earlier in the night. They went to the apartment where the victim was staying in order to "have a couple of more beers." The victim's girlfriend was away for the night. Using knives he found in the apartment, Mr. Chisholm stabbed Mr. Mullen sixteen times in the chest, one of which lacerated the aorta. The medical examiner also determined that multiple blows by a blunt object caused numerous other injuries: four rib fractures, fractured sternum, fractured jaw, ruptured spleen, and lacerated liver. These blunt force trauma injuries were consistent with Mr. Chisholm stomping on the victim repeatedly. Mr. Chisholm was found in Maine, driving the victim's car, the day after the murder.

On January 5, 1979, Mr. Chisholm's trial began in Barnstable Superior Court. On January 9 he pled guilty to second-degree murder, and was sentenced to life imprisonment.

II. INSTITUTIONAL HISTORY

Mr. Chisholm has served 33 years of his life sentence. During this time he has three returns to higher custody and an escape from custody. He has accrued 23 disciplinary reports. The most recent was in May of 2007 when he was charged with being in possession of another inmate's property and being insolent towards staff. Many of his disciplinary reports document an angry and threatening response when asked to follow the rules.

Mr. Chisholm escaped in 1993 when he stole a truck from his employer at his work release job site. He was convicted of escape and sentenced to a one-year commitment from and after the life sentence. If paroled, he would serve this one year sentence prior to his release to parole supervision. Mr. Chisholm also escaped twice from Suffolk County's Deer Island House of Correction in 1977 while serving a two-year commitment for receiving stolen property. In April 1977 he was picked up by boat trying to swim from Deer Island. In September 1977 he escaped from a furlough.

Mr. Chisholm is not a regular participant in rehabilitative programs. The inmate completed the Correctional Recovery Academy in 1997 and participated in two sessions of Alternatives to Violence in 1997 and 1998. He has not participated in rehabilitative programs since that time. He received his GED in 1980. He completed Basic Welding in 2000 and Culinary Arts in 2011. He has also worked for Walks and Grounds, the machine shop and was employed as a runner and in the kitchen. He has been removed or fired from four different jobs. Currently, Mr. Chisholm is employed in the kitchen and is not enrolled in any formal programming. Mr. Chisholm said he participates in volunteer NA/AA, religious services, and recreation.

III. PAROLE HISTORY

This is Edward Chisholm's seventh parole hearing. He is 54 years old. His parole has been denied after each of six previous hearings beginning in 1993.

Mr. Chisholm last saw the Parole Board on December 5, 2006. By a 4-2 vote parole was denied with a review in five years. The Parole Board noted that the inmate had not participated in programs since his last hearing. The Board also stated that "until Mr. Chisholm begins to address his issues and engage in the proper programming, he remains a risk to the community."

IV. PAROLE HEARING ON DECEMBER 13, 2011

Edward Chisholm has over the years given varying accounts of the murder. In this hearing, Mr. Chisholm described how he met Mr. Mullen outside the bar at closing time and Mr. Mullen agreed to give him a ride because Mr. Chisholm was preparing to ride a bicycle home. The two men agreed to continue drinking at the victim's residence (which was his girlfriend's house). Mr. Chisholm said at one point he walked around the house looking for money to steal. He also said that after drinking more beer he was very intoxicated, and became upset when the victim said he could not drive Mr. Chisholm home because he (the victim) had been drinking too much and was on medication. Mr. Chisholm became upset and used three knives that he found in the apartment to stab Mr. Mullen. After stabbing the victim, Mr. Chisholm said he took money from his wallet and his car keys. Mr. Chisholm has retracted the previous lie he told that the victim provoked him by making sexual advances.

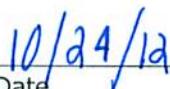
Parole Board Members questioned the inmate on his minimal program participation and his disciplinary record which shows persistent anger and hostility in the institution. Mr. Chisholm stated that his religious commitment to Christianity has helped him with anger. He had little explanation for his minimal program participation or his continuing hostile attitude towards corrections staff.

V. DECISION

Edward Chisholm stabbed an innocent man sixteen times and stomped him repeatedly. He lacerated organs and fractured bones. The inmate needs to do significant work to achieve rehabilitation. Other than for a few years in the 1990s, Mr. Chisholm has avoided rehabilitative programs. He has not addressed his rage, violence, substance abuse, or criminal thinking. He has chosen during most of his 33 years of incarceration to avoid addressing his issues in programs. The Parole Board has told him many times that he has chosen a path that does not lead to parole. He has not, however, veered off his chosen path of further incarceration without rehabilitative work. The inmate is not rehabilitated, and therefore, he would likely re-offend if released and his parole is incompatible with the welfare of society. The review will be in five years.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.


Caitlin E. Casey, Chief of Staff


Date