



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Thomas A. Turco III
Secretary

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Gloriann Moroney
Chair

Kevin Keefe
Executive Director

DECISION

IN THE MATTER OF

EDWARD CHISHOLM

W36877

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **December 19, 2019**

DATE OF DECISION: **June 8, 2020**

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, Colette Santa

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. Parole is granted to Mr. Chisholm's from and after sentence, subject to special conditions.

I. STATEMENT OF THE CASE

On January 9, 1979, in Barnstable Superior Court, Edward Chisholm pled guilty to the second-degree murder of 57-year-old Albert Mullen. He was sentenced to life in prison with the possibility of parole. On November 2, 1993, Mr. Chisolm escaped from MCI- Lancaster (minimum) while on work release status. He was apprehended by Boston Police on November 3, 1993. On December 14, 1993, Mr. Chisolm was sentenced to one year from and after for the escape charge.

In the early morning hours of June 29, 1978, 20-year-old Edward Chisholm stabbed and beat Albert Mullen to death in the Dennis home of Mr. Mullen's girlfriend (who was away at the time). The two men had met at a bar in Dennis earlier that night. Using knives that he found in the apartment, Mr. Chisholm stabbed Mr. Mullen 16 times in the chest. One of the wounds

lacerated his aorta. The medical examiner also determined that multiple blows by a blunt object caused numerous other injuries including a ruptured spleen, lacerated liver, fractured sternum, fractured jaw, and four fractured ribs. On the day after the murder, Mr. Chisholm was found driving Mr. Mullen's car in Maine.

II. PAROLE HEARING ON DECEMBER 19, 2019

Mr. Chisholm, now 62-years-old, appeared before the Parole Board for a review hearing on December 19, 2019. Mr. Chisholm was not represented by counsel. His initial hearing in 1993 resulted in the denial of parole. Seven subsequent review hearings also resulted in the denial of parole. In his opening statement to the Board, Mr. Chisholm expressed his sorrow for taking Mr. Mullen's life and asked for forgiveness from Mr. Mullen's family and friends.

When the Board asked him about his childhood, Mr. Chisholm spoke about being physically and sexual abused in the foster care system. He also witnessed the physical and sexual abuse of his sisters by foster parents. Mr. Chisholm said that this abuse led to him running away from various foster homes, abusing alcohol, and committing crimes. Mr. Chisholm said that he dropped out of school in ninth grade but eventually earned his GED while incarcerated. Mr. Chisholm discussed several escapes from DYS facilities and from Deer Island where he was serving a sentence for receiving stolen property.

The Board questioned Mr. Chisholm about the events leading up to Mr. Mullen's murder. Mr. Chisholm said that he had been hired as a cook at a bar and grill in Dennis and was drinking at the bar after his first day of work at the restaurant. Mr. Chisholm said that he was an alcoholic at the time and drank about 10 beers that night. According to Mr. Chisholm, he met Mr. Mullen at the bar, and Mr. Mullen asked him if he wanted a ride home. Mr. Chisholm accepted the offer but grew alarmed when Mr. Mullen told Mr. Chisholm that they would have to stop at Mr. Mullen's house before going to Mr. Chisholm's house. Mr. Chisholm said he consumed more beer at Mr. Mullen's house. Mr. Chisholm claimed that Mr. Mullen refused to drive him home because Mr. Mullen had been drinking and was taking medicine. Mr. Chisholm said that he grew more concerned for his safety when Mr. Mullen could not give directions to Mr. Chisholm's friend to come pick him up. Mr. Chisholm claimed that he feared Mr. Mullen was going to assault him. He told the Board he armed himself with two kitchen knives and demanded Mr. Mullen take him home. Mr. Chisholm said that he meant to threaten Mr. Mullen with the knives but accidentally stabbed him. He described how he attempted to steal Mr. Mullen's car and leave but had the wrong set of keys. Mr. Chisholm said he returned and severely beat Mr. Mullen to death, then passed out on Mr. Mullen's couch. Mr. Chisholm said that the next day he found the car keys and stole Mr. Mullen's car.

The Board noted that Mr. Chisholm has not had a disciplinary report since 2007 and questioned him about his involvement in programming. Mr. Chisholm reported that he participates in Alcoholics Anonymous and has been sober for over 20 years. He has taken programs, including Violence Reduction, the Correctional Recovery Academy (CRA), and the Alternatives to Violence Program (AVP). Mr. Chisholm said that he has addressed the psychological harm of his childhood abuse through participation in Christian group studies and through sharing stories in Alcoholics Anonymous.

Mr. Chisholm is asking to be released to his from and after sentence for escape. From there he would like to go to a Long-Term Residential Treatment Program possibly Dismas House. He has strong family support and would continue to attend Alcoholics Anonymous. Mr. Chisholm has the support of the Emmanuel Community Church in Essex. He would seek work using his vocational training in wheelchair repair, culinary arts, or welding.

Mr. Chisholm's sister testified in support of parole. Mr. Mullen's nephew testified in opposition to parole.

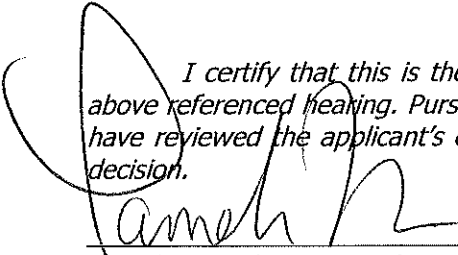
III. DECISION

It is the opinion of the Board that Edward Chisholm has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Chisholm should be reserved to his from and after sentence. He has served over 40 years for the murder of Albert Mullen. He has gained insight as to his causative and criminal conduct.

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. Chisholm'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. Chisholm's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Chisholm's case, the Board is of the unanimous opinion that Mr. Chisholm is rehabilitated and, therefore, merits parole at this time. Parole is granted to Mr. Chisholm's from and after sentence, subject to special conditions.

SPECIAL CONDITIONS: Supervise for drugs, testing in accordance with agency policy; Supervise for alcohol abstinence, testing in accordance with agency policy; adhere to the rules and regulations of the correctional facility.

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.



Pamela Murphy, General Counsel

6/18/2020

Date