



*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

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**Terrence Reidy**  
*Secretary*

**RECORD OF DECISION**

**IN THE MATTER OF**

**ELVIS SHERWOOD**

**W96148**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** May 19, 2022

**DATE OF DECISION:** December 5, 2022

**PARTICIPATING BOARD MEMBERS<sup>1</sup>:** Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Colette Santa

**STATEMENT OF THE CASE:** On March 17, 2010, in Bristol Superior Court, Elvis Sherwood pleaded guilty to second-degree murder in the death of Kenneth Burnham and was sentenced to life in prison with the possibility of parole. On the same day, he pleaded guilty to unarmed robbery and received a concurrent sentence of six to ten years.

Mr. Sherwood appeared for his initial parole hearing on May 19, 2022. He was represented by Attorney Deirdre Thurber. The entire video recording of Mr. Sherwood's May 19, 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 a suitable candidate for parole.

Reserve to Hanton House. On June 11, 2006, Mr. Sherwood murdered 57-year-old Kenneth Burnham. Mr. Sherwood was 42 years old at the time of the murder and is now 59 years old. He appears remorseful for his actions. Mr. Sherwood is housed in the RTU and has completed

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<sup>1</sup> Former Chair Gloriann Moroney was no longer a board member at the time of the vote.

programs to include Criminal Thinking and Substance Abuse Education. Mr. Sherwood has incurred only two disciplinary reports throughout his incarceration. The Board considered the expert evaluation of Dr. DiCataldo and the report of social worker Jennifer Randall. The Bristol County District Attorney's Office testified it was not opposed to parole. Mr. Sherwood has maintained sobriety throughout the incarceration and received treatment for ongoing mental health issues. Mr. Sherwood applied for DMH services and was denied, which was upheld on appeal. Counsel identified Hanton House as a residential program that has accepted Mr. Sherwood and is equipped to address his need areas.

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. Sherwood'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. Sherwood's risk of recidivism. Applying this standard to the circumstances of Mr. Sherwood's case, the Board is of the unanimous opinion that Elvis Sherwood is rehabilitated and, therefore, merits parole at this time.

**Special Conditions:** Reserve to Hanton House; Waive work for disability; Curfew at PO's discretion; ELMO-electronic monitoring at PO's discretion; 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; Counseling for adjustment/transition; Mental health counseling; AA/NA at least 3 times/week.

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

  
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Pamela Murphy, General Counsel

12/5/22  
Date