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**Tina M. Hurley**  
*Chair*

**Daniel Nakamoto**  
*Acting Executive Director*

**RECORD OF DECISION**

**IN THE MATTER OF**

**KASHMONI MURPHY**  
**W81625**

**TYPE OF HEARING:**        **Review Hearing**

**DATE OF HEARING:**       **November 14, 2023**

**DATE OF DECISION:**     **January 8, 2024**

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse

**VOTE:** Parole is granted to LTRP after 6 months in lower security.

**PROCEDURAL HISTORY:** On June 9, 1998, in Essex Superior Court, Kashmoni Murphy pleaded guilty to one count of home invasion, five counts of armed assault in a dwelling, two counts of armed robbery, and one count of assault and battery by means of a dangerous weapon. Mr. Murphy was sentenced to concurrent prison terms of 3 years to 3 years and 1 day on the (two) armed robbery offenses, after which he would serve a 3-year probationary term on the remaining seven offenses. On July 18, 2002, Mr. Murphy was found to be in violation of probation, and his probation was continued until May 9, 2004. Then, on October 18 and November 6, 2002, a Suffolk County grand jury returned a total of three indictments against Mr. Murphy charging him with 23 offenses. On March 28, 2003, following a final surrender hearing, Mr. Murphy was again found in violation of his probation and was sentenced to the mandatory minimum sentence of 20 years to 20 years and 1 day on the home invasion charge and 5 concurrent life sentences for the five offenses of armed assault in a dwelling. Mr. Murphy attempted to appeal his convictions in 2003, 2006, 2010, 2013, and 2019. All appeals were denied, and his convictions were affirmed. Parole was denied after his initial hearing in 2020.

On November 14, 2023, Kashmoni Murphy appeared before the Board for a review hearing. He was represented by Attorney Karen Swenson. The Board's decision fully incorporates, by reference, the entire video recording of Mr. Murphy's November 14, 2023 hearing.

**STATEMENT OF THE CASE:** On September 5, 1997, at approximately 11:40 p.m., four women were inside an apartment in Lynn. A woman's one-year-old daughter was present as well. When the women heard a knock at the door and opened it, Kashmoni Murphy and another individual entered the apartment. The men wore hooded sweatshirts, and Mr. Murphy's accomplice carried a firearm. When one of the women resisted their entry, the other individual struck her in the face with the gun. Mr. Murphy instructed his accomplice to "get the money, get the jewels from the big one." The men took the women's jewelry, but discarded the jewelry when they realized it was of little value. They eventually found a safe located in a bedroom which had 400 dollars inside. The men took the money and left the apartment.

Several of the victims went to the Lynn Police Department and attempted to identify the men; however, they were unsuccessful. A week later, one of the victims was driving in Boston when she saw Mr. Murphy. She contacted the police and identified him as one of her assailants. Mr. Murphy was arrested shortly thereafter.

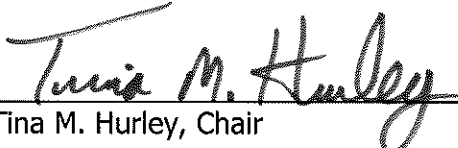
**APPLICABLE STANDARD:** Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board.

**DECISION OF THE BOARD:** Mr. Murphy is 45-years-old and this is his second appearance before the Board. Mr. Murphy has completed the welding program and is to receive his certificate in January. He has also received his OSHA certificate. He also earned his bachelor's degree from Boston University in April 2021. Mr. Murphy acknowledged his substance use history and has recognized the need for him to remain committed to his recovery when in the community, and his release plan reflects that commitment. He scores medium risk on the LSCMI. He has strong family and community support. He has been disciplinary report free since August of 2020. Mr. Murphy also completed the disassociation process. Mr. Murphy has participated in two Restorative Justice Yoga Mindfulness Retreats, as well as the Restorative Justice Victim Offender Education Group. He is currently in the MAT program and attends individual therapy, as well as AA/NA meetings. Mr. Murphy has completed registration with the Office of Returning Citizens, who can assist with his re-entry needs. Essex County ADA Katherine Semel was present and acknowledged the progress of Mr. Murphy in his rehabilitation, while asking the Board to recognize the seriousness of Mr. Murphy's crimes and institutional history. Mr. Murphy's wife spoke in support.

The Board concludes by unanimous decision that Kashmoni Murphy has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

**SPECIAL CONDITIONS:** Waive work for LTRP; Curfew - must be at home between 10PM and 6AM or at Parole Officer's discretion; Electronic monitoring at Parole Officer'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 or association with gang/gang activities; No contact with victim(s) or victim(s)' family; Must have mental health counseling for support in recovery and addiction; Long Term Residential Treatment program; Mandatory: sign release of information forms for all providers.

*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.*

  
Tina M. Hurley, Chair

1/8/24  
Date