

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

KEITH WINFIELD
W91147

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: June 27, 2024

DATE OF DECISION: October 29, 2024

PARTICIPATING BOARD MEMBERS: Edith J. Alexander,¹ Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin,² Tina M. Hurley, James Kelcourse, Rafael Ortiz

VOTE: Parole is granted to an approved home plan 2 weeks from issuance of Decision, but not before District Attorney clearance.

PROCEDURAL HISTORY: On November 15, 2007, following a jury trial in Middlesex Superior Court, Keith Winfield was convicted of two counts of rape of a child with force, indecent assault and battery on a child under 14, and assault and battery with a dangerous weapon, serious bodily injury. He was sentenced to life in prison with the possibility of parole for the two counts of rape of a child with force and 9-10 years for the other two convictions, all to run concurrently. The convictions were affirmed by the Massachusetts Court of Appeals in 2010. Mr. Winfield filed a motion for new trial in 2017, which was initially allowed by the Superior Court in 2019, but then reversed by the Appeals Court in 2020.

On June 27, 2024, Keith Winfield appeared before the Board for an initial hearing. Mr. Winfield was represented by Attorney Rebecca Rose. In addition to the testimony presented at the hearing, the Board received and considered substantial written material, including, but not limited to: Department of Correction records describing Mr. Winfield's history while incarcerated, submissions received from Mr. Winfield and his attorneys, family, and friends, materials and

¹ Board Member Alexander was not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote.

² Board Member Coughlin was not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote.

evidence from Mr. Winfield's trial and post conviction proceedings, and a detailed letter in opposition to parole from the Middlesex District Attorney's Office.

STATEMENT OF THE CASE: On the morning of Thursday, October 13, 2005, a mother dropped off her two-year-old child at Keith Winfield's home and then went to work. Mr. Winfield's wife was to babysit the child. Prior to taking the child to Mr. Winfield's home, the mother changed the child's diaper. She noticed nothing of concern to her in the child's genital or anal area, nor was the child in any pain. When the grandmother came to pick up the child that afternoon, Mr. Winfield and his wife were both at home, and the child was sleeping. After a few minutes, the child awoke and ran to the grandmother, crying. As they went to the car, the grandmother tried to get the child to walk, but she refused and continued to cry. The child continued to cry all the way home. Once inside, the grandmother changed the child's diaper and noticed that her vaginal area was red and puffy. That evening, at approximately 6:30 p.m., the mother returned home from work. She changed the victim's diaper at 8:30 p.m. and again at 11:00 p.m. At the 8:30 diaper change, the child cried and appeared to be in pain. Her vaginal and anal areas were very red. The child continued to cry and eventually was put to bed asleep at 9:00 p.m. At the 11:00 p.m. diaper change, the mother noticed that the child's genital and anal area was bleeding, and that the skin in that area was peeling. The child cried during the change, but soon fell asleep, so the mother let her sleep.

On the morning of Friday, October 14, 2005, the mother took the child to a medical office in Somerville, where she was seen by Dr. Carole Allen, Director of Pediatrics. The child's vaginal area was blistered, her anal area was red, and the child was in pain. After consulting with the child's primary care physician, Dr. Allen formed the opinion that the child had been raped. At Dr. Allen's suggestion, the mother took the child to Children's Hospital, where she was admitted at 11:20 a.m. The victim was seen at approximately 10:30 p.m. that evening by a team of physicians, including Dr. Alice Newton, Medical Director of the Child Protection Team at Children's Hospital. The team examined and photographed the victim. There were second and third degree burns to the victim's genitals and anus. The victim's labia majora and the structure inside it were red and blistered. A second burned area, red, blistered, and peeling, covered about a five-centimeter area all around the anus and extended inside it. Internal examination revealed a circular burn extending almost an inch inside the anus, as well as three tears from stretching of the anal tissue, indicating impalement by a hot instrument. In addition, there were bruises on her left jaw, the right side of her face, behind her ear, the left back area of her head at the hairline, her right nipple, and her back. A CAT scan of the victim, taken on October 15, 2005, at 1:00 p.m., revealed a large skull fracture on the back left side of the victim's head, with bleeding nearby around her brain. The victim was later transferred to Shriners Burns Hospital, where she remained for one month receiving treatment.

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

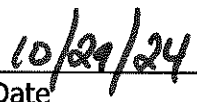
nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

DECISION OF THE BOARD: This is Mr. Winfield's first appearance before the Board. He maintains his innocence. He was released from custody without incident after his conviction was vacated in 2019, but before it was re-instated on appeal. Mr. Winfield has a limited disciplinary history. He is enrolled in the Sex Offender Treatment Program (S.O.T.P). He is a veteran and a former police officer. He has a significant support system. He has employment opportunities in the community and was able to explain to the Board his plan, if paroled. Mr. Winfield had numerous supporters in attendance. Middlesex County Assistant District Attorney Adrienne Lynch testified in opposition of parole. The Board concludes by unanimous decision that Keith Winfield has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Approve home plan before release; Waive work for 2 weeks; 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 and follow recommended treatment plan; Counseling for PTSD and relapse prevention; Mandatory Sex Offender conditions pursuant to SORB classification level.

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


Date