



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

KENNETH FAULK
W97542

TYPE OF HEARING: Review Hearing

DATE OF HEARING: March 11, 2025

DATE OF DECISION: July 9, 2025

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

VOTE: Parole is granted on/after 90 days in lower security and then to CRJ for at least 90 days.²

PROCEDURAL HISTORY: On November 19, 2010, following a jury trial in Plymouth Superior Court, Kenneth Faulk was convicted of the lesser included offense of second-degree murder in the death of Derrick Wilson. He was sentenced to life in prison with the possibility of parole. Parole was denied following an initial hearing in 2022. On March 11, 2025, Kenneth Faulk appeared before the Board for a review hearing. He was represented by student attorneys Rachel Maguire and Mirella Baker from Harvard PLAP under the supervision of Attorney Jon Fitzpatrick. The Board's decision fully incorporates by reference the entire video recording of Kenneth Faulk's March 11, 2025, hearing.

STATEMENT OF THE CASE³: On April 30, 2007, in Brockton, 19-year-old Kenneth Faulk shot and killed 25-year-old Derrick Wilson. On that date, Mr. Faulk entered a Brockton apartment building with Mr. Wilson right behind him, which was captured on surveillance footage. The video showed Mr. Faulk appear to speak to Mr. Wilson, after which Mr. Wilson followed him up

¹ Chair Hurley participated in the vote on this matter prior to her departure from the Board.

² Two Board Members voted to parole but not before 6 months in lower security.

³ Taken in part from *Commonwealth v. Faulk*, 46 N.E.3d 115 (2016).

a set of stairs. Two minutes later, Mr. Wilson slid feet first down the stairs, where he lay struggling. Within seconds, Mr. Faulk came down the stairs, stepped over Mr. Wilson, and left the building. A few minutes later, Mr. Faulk returned and kicked Mr. Wilson in the foot and head. It was determined that Mr. Wilson died from a gunshot wound to the chest.

Mr. Faulk spoke with police and initially denied entering the building with Mr. Wilson. After being shown images from the video, Mr. Faulk acknowledged his presence, but claimed not to know if he heard gunshots or if there was any kind of fight or struggle on the stairs. He stated that he kicked Mr. Wilson to wake him up. DNA subsequently connected Mr. Faulk to a cigarette butt at the second-floor landing. DNA evidence also linked a projectile found in the wall at the top of the second-floor landing to Mr. Wilson. No weapon was recovered. Strands of beads worn by Mr. Wilson were found scattered, including one at the top of the landing, which suggested a struggle.

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, § 13. 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 was Mr. Faulk's second hearing before the Board. Since the last hearing, he completed additional courses toward his bachelor's degree. He has also furthered his self-development through completion of additional programs, including Restorative Justice and Path to Freedom and gained additional vocational skills by obtaining his OSHA certification. Mr. Faulk has maintained employment in the Maintenance Department. In addition, Mr. Faulk has continued mental health treatment, including participation in a trauma group. The Board notes Mr. Faulk has been recommended to transition to minimum. Mr. Faulk has a support system and proposed re-entry plan to meet his needs. It is noted that Mr. Faulk requested to transition through minimum to obtain further skills. The Board considered public testimony in support of parole from Mr. Faulk's family. The Board considered an opposition statement provided by Plymouth County ADA Arne Hantson. The Board concludes by unanimous decision that Kenneth Faulk has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: CRJ-Brooke House; Waive work for program/school; Electronic monitoring for 6 months only; 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 mental health counseling for adjustment.

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.



Tonomey A. Coleman, Acting Chair

Date

7/9/25