



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

KEVIN SANDERS

W86874

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **September 13, 2022**

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

PARTICIPATING BOARD MEMBERS¹: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On January 3, 2006, after a jury trial in Suffolk Superior Court, Kevin Sanders was convicted of second-degree murder in the death of Alexander Smith and was sentenced to life in prison with the possibility of parole. He was also convicted of unlawful possession of a firearm for which he received a 4 to 5-year concurrent sentence.

Mr. Sanders appeared for his second parole hearing on September 13, 2022. He was represented by student attorneys from Harvard Law School. Mr. Sanders was denied parole after his initial hearing in 2017. The entire video recording of Mr. Sanders' September 13, 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 CRJ after six months in lower security. On September 29, 2002, Mr. Sanders, then 22 years old, shot and killed 26-year-old Alexander Smith. He accepts responsibility for the murder.

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

He has committed to his rehabilitation, evidenced by his completion of numerous programs to include Anger Management, Restorative Justice Reading Group, and Jericho Circle. His COMPAS assessment and LS/CMI state he is low risk. Mr. Sanders has had a positive institutional adjustment with minimal disciplinary history. The Board notes Mr. Sanders has strong community support and presented an excellent parole plan. The Board feels that he will benefit from a gradual transition through lower security.

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

Special Conditions: Reserve to CRJ; Waive work for program; 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; Counseling for adjustment/transition/grief.

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



Pamela Murphy, General Counsel

12/5/22
Date