



The Commonwealth of Massachusetts
Executive Office of Public Safety

PAROLE BOARD

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DECISION

IN THE MATTER OF

KEVIN WOOD

W52555

TYPE OF HEARING: **Review Hearing after Revocation**

DATE OF HEARING: **November 27, 2012**

DATE OF DECISION: **January 16, 2013**

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Dr. Charlene Bonner, Shelia Dupre, Ina Howard-Hogan, Lucy Soto-Abbe, Josh Wall (The Board currently has six members; four votes are required for parole.)

DECISION OF THE BOARD: Re-Parole on or after January 30, 2013 with GPS monitoring. The decision is unanimous.

I. STATEMENT OF THE CASE

Kevin Wood stabbed to death his brother-in-law George Aulson on July 7, 1991 at about 1:00 a.m. outside Wood's trailer home in Peabody. Wood and George Aulson were related not only by marriage but also through the drug business. It was a dispute over the drug interactions that led to the murder. A jury convicted Kevin Wood of second-degree murder and malicious destruction of property on May 1, 1992.

The Appeals Court affirmed the conviction and included this description of the facts. "On July 7, 1991, during a fight with [Kevin Wood,] George Aulson was stabbed to death. . . . [Kevin Wood] at trial maintained that he had acted in self-defense and that the Aulsons (George, his wife, his brother, and his brother's girlfriend) had initiated the fight because they suspected [Wood] had informed the police that George and his wife were cultivating marijuana." Evidence at trial was introduced that Kevin Wood "had provided [Peabody police] with information regarding alleged criminal activity by Aulson at the latter's residence, that thereafter . . . the Peabody police department had conducted an investigation, . . . that on July

6, approximately twelve hours before the stabbing, they had executed a search warrant at the victim's residence, and that they were there for several hours and seized evidence."

Based on the jury verdicts of convictions for murder and malicious destruction of property, and the evidence cited by the Appeals Court, the Parole Board concludes that the Aulsons did go to Kevin Wood's trailer with a motive to confront Wood over his role in the police investigation; that Wood took control of the confrontation by attacking the Aulson family van with an axe handle or similar weapon; and that Wood stabbed an unarmed George Aulson after the two of them were fighting outside the trailer.

Wood has numerous other convictions for crimes involving drug possession, theft, and operating under the influence. He was especially persistent in operating under the influence: he has between five and seven separate convictions (the Board of Probation record is unclear on some offenses) in just a decade.

II. PAROLE AND INSTITUTIONAL HISTORY

Kevin Wood received parole after his second parole hearing. The Board denied parole after the initial hearing in 2007 and set a review in three years. The second hearing, in February 2010, resulted in Wood's release to parole on June 23, 2010. He had a good institutional record with eight disciplinary reports and active participation in rehabilitative programs. He completed the Correctional Recovery Academy; Alternatives to Violence (three phases); Active Listening; Emotional Awareness; Jericho Circle; and Problem Solving. He also attended AA 12 Steps and Narcotics Anonymous.

Since re-incarceration in July 2012, Wood has been productively engaged in rehabilitation programs. He completed Alternatives to Violence and Twelve Steps for Christians; he also participated in Cognitive and Thinking Skills. He attends AA/NA and religious activities.

Wood's early parole efforts were successful. He lived initially at New Horizons sober house and completed the Moving Ahead Program. After six months he moved into his own apartment and was successful at finding employment with contractors and a scrap metal yard. He became a member of the laborers union. Eventually he moved in with a girlfriend and her children. 64 drug and alcohol tests were negative.

The Parole Board issued a final warning in September 2010 due to a confrontation between Wood and the victim's brother. The two men ran into each other, and the victim's brother punched Wood. The final warning included conditions of GPS electronic monitoring, curfew, and a requirement that Wood stay away from Peabody (where the confrontation took place and where many of the victim's family members reside).

An incident with his girlfriend resulted in Wood's return to custody and parole revocation. On the Sunday morning of July 1, 2012, Wood and his girlfriend had a heated argument at Wood's Quincy residence and at a nearby beach, all before 8:00 a.m. Somehow the chain of events included a car accident involving Wood's car and the girlfriend's car, and scrapes to the girlfriend's arm. Wood's parole officer came by the house at 8:00 a.m., as was his custom every Sunday. Wood denied the domestic argument and said he had not left the house. The parole officer gathered additional information, including from GPS records, and learned that Wood had lied on both points. The girlfriend stated that she had been the aggressor, that Wood did not retaliate physically, and that her injuries occurred when she smashed her hand on a door.

III. PAROLE HEARING ON NOVEMBER 27, 2012

Kevin Wood is 52 years old. He was on parole for two years after serving 18 years of his life sentence. Attorney Brian Kelley represented Wood at the hearing. Wood explained the connection between the Wood and Aulson families: Wood's sister is married to the victim's brother. Wood described the argument he had with his girlfriend and admitted that he lied to his parole officer to cover up the argument and his curfew violation. He said that he worked for a contractor regularly on parole, and that he worked at a scrap yard as a second job. He said he attended AA meetings regularly and stayed involved with church services.

The inmate's brother, daughter, and niece testified in support of parole. They provided information that confirmed his productive activities on parole. George Aulson's wife, brother, son, mother-in-law, and cousin testified in opposition to parole. The victim's brother mentioned the relationship between the two families, the damage that has been done to both families, and encouraged Wood to work hard and succeed if he is re-paroled. Essex Assistant District Attorney Elin Graydon also spoke in opposition to parole.

IV. FACTORS RELEVANT TO RE-PAROLE DECISION

1. Wood achieved substantial rehabilitation during his 19 years of incarceration from 1991 to 2010. He successfully addressed issues of substance abuse, criminal thinking, and violent behavior.
2. He continued rehabilitation in the community by successfully completing the Moving Ahead Program and attending AA meetings. 64 drug or alcohol tests on parole were negative.
3. Wood took advantage of parole to create a more stable life that was not possible for him prior to his rehabilitation at the Department of Correction. He successfully avoided a return to drug and alcohol use. He committed himself to finding and maintaining employment. It appears that he was a hard-working and reliable employee.
4. Family members are firmly supportive of Wood. Their testimony gave a clear picture of Wood's efforts on parole to work hard, stay sober by attending meetings, and re-connect with family members, including his daughters.
5. The parole violation did not involve a new crime or substance abuse. At his hearing Wood demonstrated that he understands the importance of being honest with his parole officer.
6. Wood will have been re-incarcerated for a period of seven months, which is sufficient accountability for the conduct that resulted in revocation.
7. During this period of re-incarceration Wood has pursued additional rehabilitative programming, including Alternatives to Violence, Cognitive Thinking Skills, Twelve Steps, and AA/NA.

V. DECISION

Kevin Wood was on parole for two years before his violation and revocation. During that period he established that he is committed to holding a job and making a living, staying sober, and reconnecting with family. He made unfortunate choices that led to his revocation, but he did not relapse or commit a new crime. Overall, he showed a willingness to follow the rules of parole and work toward a successful parole. As a result of these factors, the Parole Board is able to conclude that he is unlikely to re-offend if re-paroled and that his release is compatible with the welfare of society. Accordingly, re-parole is granted. Because he is rehabilitated and lived in the community for two years without relapse or criminal activity, Wood can be released directly to his home plan without further incarceration or institutional step-down. The Parole Board advises Mr. Wood that he must be steadfast in avoiding both angry confrontations and situations in which alcohol or drugs are available.

SPECIAL CONDITIONS: Re-parole to home plan on or after January 30, 2013; no drug use or alcohol use; AA or NA three times per week and obtain a sponsor; one-on-one counseling for one year minimum and thereafter at parole officer discretion (to address issues of substance abuse, anger, and relationships); no contact with victim's family except for those family members who speak specifically with parole officer to exempt themselves from this prohibition; Mr. Wood is not permitted to enter Peabody except to visit family with advance notice given to his parole officer; GPS electronic monitoring for at least two years (thereafter at discretion of parole officer); curfew between 10:00 p.m. and 6:00 a.m.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing. This signature does not indicate authorship of the decision.


Caitlin E. Casey, Chief of Staff


Date