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Paul Treseler
Chairperson

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Executive Director

DECISION

IN THE MATTER OF

KEYON SPRINKLE
W80055

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: November 19, 2015

DATE OF DECISION: February 11, 2016

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, Tina Hurley, Lucy Soto-Abbe

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, 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 not a suitable candidate for parole. Parole is denied with a review in four years from the date of the hearing.

I. STATEMENT OF THE CASE

On March 27, 2002, in Suffolk Superior Court, Keyon Sprinkle was convicted of the first degree murder of Charles Taylor, as well as unlawful possession of a firearm. Sprinkle was sentenced to life in prison for the murder of Mr. Taylor. Sprinkle was also sentenced to a concurrent term of not more than 5 years, and not less than 3 years, in prison for his conviction of unlawful possession of a firearm. At the time of Mr. Taylor's murder, Sprinkle was 17-years-old.

In November 1999, Keyon Sprinkle was living with his grandmother in the Roxbury neighborhood of Boston. On the afternoon of Mr. Taylor's death, November 16, 1999, Sprinkle was home with his brother and three friends when Mr. Taylor's wife, Orquida Amparo-Taylor, made an unannounced visit. Ms. Taylor had become acquainted with Sprinkle in July or August 1999 through her relationship with Sprinkle's cousin, Clarence Williams. At the time, Ms. Taylor was married to Mr. Taylor. On or about late October 1999, Ms. Taylor moved in with Mr.

Williams at his home, which was located near the corner of Humboldt Avenue and Martin Luther King Boulevard.

On the day of his death, Mr. Taylor had made arrangements to meet Ms. Taylor at the corner of Humboldt Avenue and Martin Luther King Boulevard at 5:00 p.m. The purpose of this meeting was for Mr. Taylor to retrieve some personal belongings from Ms. Taylor. Earlier in the day, the couple had argued at a local hospital where their son was receiving treatment. At approximately 4:30 p.m., on November 16, 1999, Ms. Taylor was driving home when she observed Mr. Taylor waiting for her at the corner of Humboldt Avenue and Martin Luther King Boulevard. Ms. Taylor stopped at the home of Sprinkle, which was located in the area. Ms. Taylor contacted Mr. Williams at his home by telephone. Mr. Williams was able to see Mr. Taylor through his window and relayed his movements to Ms. Taylor. Mr. Williams and Sprinkle then spoke on the phone. After conversing with Mr. Williams, Sprinkle retrieved a dog leash and another item from a closet in his home. Sprinkle placed the second item in the front of his pants and walked outside with his three friends. Sprinkle then returned to his apartment with the same three friends. Ms. Taylor continued to speak on the telephone with Mr. Williams, who said that "if your baby's father gets killed, it's your fault." Mr. Williams and Sprinkle then spoke for a second time. Sprinkle left his home again. He was outside alone for approximately three to five minutes. When he returned to his apartment after his second trip outside, Sprinkle handed something to his brother with instructions that it be placed in his dresser.

As Sprinkle walked toward Humboldt Avenue, he bumped into an acquaintance that was in the area to visit the home of Mr. Williams. When Sprinkle saw his friend, he said that he was going up the street to "see Old Boy," and lifted up his shirt exposing a firearm. The acquaintance then visited Mr. Williams at his home. Mr. Williams told the acquaintance that he just sent Sprinkle up the street. Minutes later, multiple gunshots were heard. The acquaintance left Mr. Williams home when he encountered Sprinkle for a second time. Sprinkle stated that "he got it," as he entered Mr. Williams' home. Investigators later determined that Mr. Taylor died as a result of six gunshot wounds.

II. PAROLE HEARING ON NOVEMBER 19, 2015

Keyon Sprinkle, now age 33, appeared before the Parole Board on November 19, 2015 for an initial hearing. In Sprinkle's opening statement to the Board, he ultimately denied his involvement in Mr. Taylor's death, but offered an apology to Mr. Taylor's family for his "actions and inactions" on the night of his death. During the course of the hearing, he spoke about the day of the murder. According to Sprinkle, he could not recall what he had been doing earlier that day. At the time of Ms. Taylor's arrival, some of Sprinkle's friends were present in his home, where he lived with his grandmother and little brother. Sprinkle was aware of Ms. Taylor's relationship with Mr. Williams, but was surprised to see her at his home, as he had not provided her with the address and she had never been there before. He said that Ms. Taylor told him that she was trying to avoid having contact with Mr. Taylor, who was outside on a nearby street corner.

Sprinkle stated that Mr. Williams spoke with Ms. Taylor and him multiple times on the phone. During their conversation, Mr. Williams told Sprinkle that he was concerned that Mr. Taylor may be in possession of a gun. Sprinkle stated that, at the time, Ms. Taylor did not tell him the true reason for Mr. Taylor's presence. At Mr. Williams' request, Sprinkle went outside

with his friends to watch Mr. Taylor for 5 to 10 minutes. After returning to his home, Sprinkle and Mr. Williams spoke again on the telephone. Sprinkle stated that he then watched television, while Ms. Taylor smoked by the window. Mr. Taylor's friends were still present in the home. Sprinkle said that, a short time later, he and the others were startled by the sound of multiple gun shots coming from outside his apartment. Sprinkle said he learned that Mr. Taylor had been killed a few days later, when Mr. Williams was questioned by police.

When questioned by the Board, Sprinkle addressed his behavior prior to and during his incarceration. According to Sprinkle, he was involved in selling marijuana and, on at least one occasion, crack cocaine, before Mr. Taylor's death. While serving his sentence, Sprinkle has been involved in numerous disciplinary incidents, including fights with other inmates. Sprinkle discussed with the Board statements he made in the past, in which he expressed his desire to participate in violent attacks on correctional staff for the purpose of overthrowing their control of the prison. However, Sprinkle cited his faith and religious experience as one of the reasons why his behavior is different today than it has been in the past. He also discussed the benefits that have come from his recent involvement in programming during his incarceration.

The Board also received testimony from numerous witnesses, both in support of and in opposition to, Sprinkle's petition for parole. The Board considered testimony from members of Mr. Sprinkle's family and others, all of whom expressed support for his release. The Board also noted the presence of friends and/or family who appeared in support of Sprinkle, but who did not testify. Mr. Sprinkle's cousin described the growth that Sprinkle has experienced since his incarceration, including obtaining his certificate of high school equivalency and engaging in other programming beneficial to his rehabilitation. Other supporters echoed these statements, citing Sprinkle's demonstrated maturity and responsibility. Another cousin spoke about the supportive role that Sprinkle played in her childhood. Mr. Sprinkle's wife spoke about the supportive nature of their relationship and expressed her support for his release.

Testimony from members of Mr. Taylor's family and the Suffolk County District Attorney's Office, all of whom expressed opposition to Mr. Sprinkle's petition for parole, was also taken under consideration. The mother of Mr. Taylor's son described the emotional effect that his murder has had on their son. A letter from Mr. Taylor's son was also read to the Board. In addition, Suffolk County Assistant District Attorney Zachary Hillman highlighted the nature and severity of Mr. Taylor's murder, the opposition from Mr. Taylor's family, and Sprinkle's poor disciplinary record as the basis for his argument to deny parole.

III. DECISION

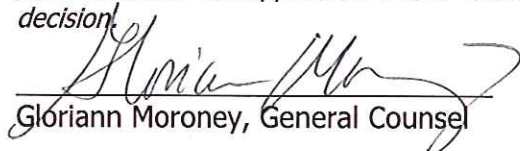
The Board is of the opinion that Keyon Sprinkle has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes that a longer period of positive institutional adjustment and programming would be beneficial to Sprinkle's rehabilitation.

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 the context of an offender convicted of first or second degree

murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has "a real chance to demonstrate maturity and rehabilitation." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015); See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015). The factors considered by the Board include the offender's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Id.* The Board also recognizes the petitioner's right to be represented by counsel during his appearance before the Board. *Id.* at 20-24. The Board has also considered whether risk reduction programs could effectively minimize Mr. Sprinkle's risk of recidivism.

After applying this standard to the circumstances of Sprinkle's case, the Board is of the opinion that Keyon Sprinkle is not yet rehabilitated and his release is not compatible with the welfare of society. Mr. Sprinkle, therefore, does not merit parole at this time. His next appearance before the Board will take place in four years from the date of the hearing related to this decision. During the interim, the Board encourages Sprinkle to continue working towards his full rehabilitation.

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.


Gloriann Moroney, General Counsel

2/11/16
Date