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PAROLE BOARD

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Gloriann Moroney
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RECORD OF DECISION

IN THE MATTER OF

KHAMKONG CHITTAMATH
W85889

TYPE OF HEARING: Review Hearing

DATE OF HEARING: August 3, 2021

DATE OF DECISION: December 20, 2021

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa

STATEMENT OF THE CASE: On July 14, 2005, in Suffolk Superior Court, a jury found Khamkong Chittamath guilty of the second-degree murder of 23-year-old Gift Chea. Mr. Chittamath was sentenced to life in prison with the possibility of parole. On that same date, he was convicted of unlawful possession of a firearm and received a 3-to-5-year sentence to be served concurrently. Mr. Chittamath unsuccessfully appealed his convictions.¹

Mr. Chittamath appeared before the Parole Board for a review hearing on August 3, 2021 and was represented by Northeastern University Law students Raygan Cristello and Sylvana Quinlan and was afforded the services of an interpreter. This was Mr. Chittamath's second appearance before the Board having been denied in 2018. The entire video recording of Mr. Chittamath's August 3, 2021 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 his United States Immigration and Customs Enforcement (ICE) detainer. Mr. Chittamath is serving a life sentence for the death of 23-year-old Gift Chea. He has served 18 years and has maintained a positive adjustment. Although he was unable to complete Restorative Justice due to a conflict with

¹ *Commonwealth v. Khamkong Chittamath*, 71 Mass. App. Ct. 1123 (2008), cert. denied 451 Mass. 1108 (2008).

educational pursuits, he has engaged in programming to address empathy such as Jericho Circle and Men's Group, which satisfies the Board. Mr. Chittamath's renunciation was accepted by the Department of Correction, and he has remained disciplinary report free since his last hearing.

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." In forming this opinion, the Board has taken into consideration Mr. Chittamath's 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. Chittamath's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Chittamath's case, the Board is of the unanimous opinion that Mr. Chittamath is rehabilitated and merits parole at this time, subject to special conditions.

Special Conditions: Reserve to his United States Immigration and Customs Enforcement (ICE) detainer; Approved home plan before release (in the event Mr. Chittamath is released from ICE custody); Waive work for two weeks; Must be at home between 10 p.m. and 6 a.m.; ELMO-electronic monitoring; 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 or association with Security Threat Group; No contact with victim(s) family; Must have substance abuse evaluation, adhere to plan; Must have mental health counseling for adjustment/transition.

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

Pamela Murphy, P.P. SMB
Pamela Murphy, General Counsel

12/00/21
Date