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Tina Hurley
Chair

Kevin Keefe
Executive Director

RECORD OF DECISION

IN THE MATTER OF

MICHAEL MILLER

W87764

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 28, 2022

DATE OF DECISION: December 5, 2022

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

STATEMENT OF THE CASE: On June 5, 2006, after a jury trial in Suffolk Superior Court, Michael Miller was convicted of second-degree murder in the death of Denise Shearrion. He was sentenced to life in prison with the possibility of parole.

Mr. Miller appeared before the Parole Board for a review hearing on July 28, 2022 and was represented by student attorneys from Northeastern University School of Law. This was Mr. Miller's second appearance before the Board having been denied after his initial hearing in 2017. The entire video recording of Mr. Miller's July 28, 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 LTRP after eighteen months in lower security. On August 15, 2002, 35-year-old Mr. Miller stabbed and killed his 36-year-old girlfriend Denise Shearrion. Mr. Miller accepts full responsibility for the murder. He has been incarcerated for twenty years. He has incurred only three disciplinary reports throughout his incarceration. He has been employed for over a decade and has completed fifteen programs since his last hearing. His programming has

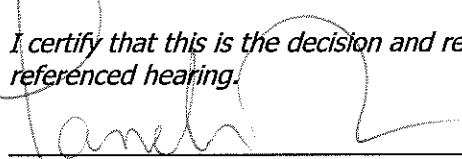
¹ Former Chair Gloriann Moroney was no longer a Board Member at the time of the vote.

addressed his need areas, namely domestic violence issues and anger. He has been proactive in his rehabilitation and earned his OSHA certification. He presented well at the hearing and demonstrated a strong support network. He told the Board he needs a batterer's program and to receive counseling for anger management and healthy relationships.

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

Special Conditions: Reserve to LTRP – must complete; 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; Must have substance abuse evaluation and follow recommendations; Batterer's counseling or counseling for healthy relationships; Counseling for anger management/adjustment/transition.

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