



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

PATRICK MAYHEW
W94143

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **May 2, 2024**

DATE OF DECISION: **August 20, 2024**

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse

VOTE: Parole is granted to a residential program after 90 days in lower security.

PROCEDURAL HISTORY: On April 1, 2009, in Suffolk Superior Court, Patrick Mayhew pleaded guilty to murder in the second degree for the death of Joseph Smith. He was sentenced to life in prison with the possibility of parole. On that same date, Mr. Mayhew also pleaded guilty to possession of a sawed-off shotgun and was sentenced to 4–5 years in state prison to be served concurrently with his life sentence. Parole was denied following an initial hearing in 2022. On May 2, 2024, Patrick Mayhew appeared before the Board for a review hearing. He was represented by Attorney Kim Jones. The Board's decision fully incorporates, by reference, the entire video recording of Patrick Mayhew's May 2, 2024, hearing.

STATEMENT OF THE CASE: On the afternoon of June 21, 2007, 21-year-old Patrick Mayhew shot and killed 40-year-old Joseph Smith in Dorchester. The two men, who were friendly with one another, were talking in a neighbor's yard when Mr. Mayhew told Mr. Smith that he needed money. Mr. Smith only smirked in response. Mr. Mayhew then went across the street to his home and retrieved a sawed-off shotgun. When he returned, Mr. Mayhew shot Mr. Smith twice, killing him. Mr. Mayhew then fled to Chicopee, where he was arrested the following day. Police executed a search warrant at his home and recovered a sawed-off shotgun from the basement.

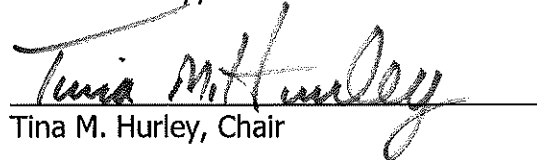
APPLICABLE STANDARD: Parole “[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society.” M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate’s institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate’s risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate’s testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

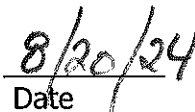
DECISION OF THE BOARD: Mr. Mayhew appeared before the Board two years ago and the Board was especially concerned with his history of disciplinary reports. Mr. Mayhew has remained disciplinary report free since that 2022 hearing. He has engaged in programming, including Victim Impact, Restorative Justice Retreat, and Victim Offender Education Group. Mr. Mayhew has remained employed throughout his incarceration and has held the position of Houseman for four years. Mr. Mayhew is a Board Member of the Massachusetts Parole Preparation Project. He is a facilitator for Restorative Justice and serves in leadership positions for multiple programs. He is low risk on the LS/CMI risk assessment tool. Mr. Mayhew has considerable family and community support.

The Board concludes by unanimous decision that Patrick Mayhew has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Waive work for two weeks; Curfew must be home between 10 PM and 6 AM at Parole Officer’s discretion; Electronic monitoring at Parole Officer’s discretion; Supervise for drugs – testing in accordance with Agency policy; Supervise for liquor abstinence – testing in accordance with Agency policy; Report to MA Parole Office on day of release; No contact with victim(s)’ family; Must have substance abuse evaluation and must comply with recommended treatment plan; Counseling for adjustment and transition; Residential program for 90 days.

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.


Tina M. Hurley, Chair


Date