



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

PAUL SHEEHY

W55638

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 21, 2020

DATE OF DECISION: December 28, 2020

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

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 that the inmate is a suitable candidate for parole.¹ Parole is granted to Interstate Compact (NY) to Delancey House for 2 years before release to approved home plan, with special conditions, and after District Attorney clearance.

I. STATEMENT OF CASE

On September 24, 1987, Paul Sheehy was found guilty of first degree murder in the death of Samantha Fisher after a jury trial in Middlesex Superior Court. He was sentenced to life in prison without the possibility of parole. On October 15, 1987, Mr. Sheehy pleaded guilty to the attempted murder of another woman. He was sentenced to a concurrent 10 to 12 year sentence. On December 17, 1993, Mr. Sheehy was granted a new trial for the first degree murder conviction, but remained in custody to serve his concurrent sentence for attempted murder.² At the second

¹ Two Board Members voted to deny parole with a review in two years.

² The motion for a new trial was grounded on the fact that the alternate juror for his trial was not kept separate from the other jury members during deliberations. This allowed motion was upheld by the Supreme Judicial Court. *Commonwealth v. Paul Sheehy*, 412 Mass. 235 (1992).

trial, Mr. Sheehy pleaded guilty to second degree murder and was sentenced to life in prison with the possibility of parole.

On July 13, 1986, at approximately 3:00 a.m., Paul Sheehy murdered 18-year-old Samantha Fisher in Fort Hill Park in Lowell. Mr. Sheehy picked up Ms. Fisher at about 2:30 a.m. and drove her to a convenience store. He then drove her to the park where they had, or attempted to have, sex in the back of the car. At some point, Mr. Sheehy compressed Ms. Fisher's neck to such a degree that she became unconscious. He then dragged Ms. Fisher out the back of the car and threw her to the ground, face down in a small puddle of water. She was still alive, but unconscious. When police arrived, Ms. Fisher was found partially naked, lying face down in the water. The medical examiner determined that she died from asphyxia due to compression of her neck and drowning. She also had injuries to her face and neck.

Mr. Sheehy subsequently admitted to police that he was with Ms. Fisher at the scene. He claimed that they had consensual sexual intercourse in his car, during which time Ms. Fisher "passed out" due to intoxication. He put Ms. Fisher on her back on the grass and then drove home. He claimed that he did not touch her neck. When he left, Mr. Sheehy thought Ms. Fisher was "okay," so he did not seek help. Shortly after, however, Mr. Sheehy told a friend that he "killed somebody tonight" and then proceeded to show him how he killed her.

II. PAROLE HEARING ON JULY 21, 2020

Mr. Sheehy, now 54-years-old, appeared before the Parole Board for a review hearing on July 21, 2020, and was represented by Attorney Patricia Garin. Mr. Sheehy was denied parole after his initial hearing in 2001, and after his review hearings in 2006, 2011, 2014, and 2017. In his opening statement to the Board, Mr. Sheehy apologized for the murder of Ms. Fisher and for the attempted murder of another woman. He expressed regret for his criminal behavior and acknowledged the harm that resulted from his "horrendous" actions. Mr. Sheehy also expressed empathy to the victim's families and apologized for the trauma and pain that they have endured.

Mr. Sheehy has continued to educate himself on his issues with women, as his behavior was indicative of domestic violence. In discussing the attempted murder of the surviving victim, the Board asked whether Mr. Sheehy intended to kill her, noting that this crime occurred approximately one week after he murdered Ms. Fisher. Mr. Sheehy stated that his intention was not to kill her. Rather, he "perceived" that he was being challenged and "chose" to respond with aggression. When Board Members asked why his aggression escalated so quickly, Mr. Sheehy stated that his issues with women, as well as his inability to handle difficult situations, caused him to become violent. The Board recognized that Mr. Sheehy's social history played a significant role in his violent demeanor, as his negative outlook on women stemmed from Mr. Sheehy's belief that his mother and sisters had abandoned him. At age 17, however, Mr. Sheehy discovered that they left due to abuse suffered at the hands of his stepfather. When Board Members asked whether that knowledge changed his outlook on the women in his life, Mr. Sheehy indicated that he now understands his family members were victims of abuse and explained that he is no longer resentful toward them or others. His previous resentment enabled him to justify his anti-social behavior for many years.

The Board discussed Mr. Sheehy's commitment to recovery, noting his extensive involvement in rehabilitative programming, both as a facilitator and participant. Mr. Sheehy

explained how the Correctional Recovery Academy ("CRA"), Violence Reduction, and Restorative Justice programs had the greatest impact on him. Through his participation, he began to "value [himself] and, by extension, value other people." Once he came to this realization, Mr. Sheehy explained that everything started to sink in. He learned that although he will always face certain challenges, he does not have to respond with anger. Further, his "anger does not have to translate into some kind of abuse." Upon questioning, Mr. Sheehy explained that he initially completed the CRA in 1995, but when the curriculum changed, he took advantage of the opportunity to participate a second time. When the Board inquired as to his substance abuse issues, Mr. Sheehy maintained that he had a problem with both alcohol and drugs. He began using at a young age and indicated that substance abuse played a significant role in his crimes. Mr. Sheehy stated that he has been sober since 1988, and consistently engages in Alcoholics Anonymous/Narcotics Anonymous, as well as other substance abuse related programs. His sobriety holds him "accountable" and he has acquired a strong support system to lean on, if needed. Additionally, he successfully completed the required courses to become an addiction counselor at the Center for Addiction Study and Research.

The Board discussed Mr. Sheehy's positive institutional adjustment, noting that he has not incurred a disciplinary infraction since 1999. He became a member of the Jewish community, which has had a meaningful impact on his rehabilitation. Mr. Sheehy has also been employed in various jobs throughout his incarceration and reports that he received his HVAC and welding certifications. Additionally, while incarcerated, he obtained his GED and participated in college level courses. Mr. Sheehy indicated to Board Members that he believes a heavily structured environment will aid in his reentry and, if released, hopes to be transferred to a long-term residential program. Mr. Sheehy has several employment opportunities available in both Massachusetts and New York, if paroled. He stated that his ideal job would be an addiction counselor. If paroled, Mr. Sheehy plans to receive counseling with Dr. Jeffery Botman and utilize the strong support system he has built within the Jewish community and his family. He assured the Board that he will remain focused on his sobriety and continue all necessary programming and treatment.

The Board considered testimony in support of parole from members of Mr. Sheehy's synagogue, his sponsor, and his sister. The Board also considered the testimony of the victim of the attempted murder. Additionally, Middlesex County Assistant District Attorney Daniel Harren provided testimony in opposition to parole. Middlesex County Assistant District Attorney Adrienne Lynch provided a letter in opposition to parole.

III. DECISION

The Board is of the opinion that Mr. Sheehy has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Sheehy presented a home plan specifically crafted to include the needed structure that Delancey will provide. He was 19-years-old at the time of the offense and completed SOTP (Sex Offender Treatment Program) and extensive programming. Mr. Sheehy has remained sober since 1988 and presented as committed to maintaining sobriety in the community. Mr. Sheehy has strong family and community support and a solid re-entry/transition plan. Mr. Sheehy shows a strong commitment to 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 forming this opinion, the Board has taken into consideration Mr. Sheehy'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. Sheehy's risk of recidivism. After applying this standard to the circumstances of Mr. Sheehy's case, the Board is of the opinion that Paul Sheehy has been rehabilitated and, therefore, merits parole at this time. Parole is granted to Interstate Compact (NY) to Delancey House for 2 years before release to approved home plan, with special conditions, and after District Attorney clearance.

SPECIAL CONDITIONS: Waive work for 2 weeks or program; Must be at home between 10 pm and 6 am; Electronic monitoring; Must take prescribed medication; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Polygraph testing per Sex A; Report to assigned MA Parole Office on day of release; No contact with victim's family; No contact with victim(s); Must have mental health counseling; Must participate in sex offender group counseling per Sex A; Must complete Long Term Residential Treatment - Delancey; AA/NA at least 3 times/week; Mandatory home group/sponsor; Mandatory Sex A conditions.

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.

Pamela Murphy (SMB)
Pamela Murphy, General Counsel

12/28/20
Date