



Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Daniel Bennett
Secretary

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone # (508) 650-4500
Facsimile # (508) 650-4599



Paul M. Treseler
Chairman

DECISION

IN THE MATTER OF

PAUL SHEEHY

W55638

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 25, 2017

DATE OF DECISION: June 19, 2018

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

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 not a suitable candidate for parole. Parole is denied with a review scheduled in three years from the date of the hearing.¹

I. STATEMENT OF THE CASE

On September 24, 1987, Paul Sheehy was found guilty of the first degree murder 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 and 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,

¹ Four Board Members voted to deny parole with a 3 year review. Two Board Members voted to deny parole with a 2 year review.

but remained in custody to serve his concurrent sentence for attempted murder.² At the second 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. Mr. Sheehy 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. Mr. Sheehy then dragged Ms. Fisher out of 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 and 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, claiming they had consensual sexual intercourse in his car, during which Ms. Fisher "passed out" due to intoxication. He said he responded by putting Ms. Fisher on her back on the grass and then drove home. He claimed that he did not touch her neck. When he left her, he thought she was "okay," so he did not seek help. However, shortly after, Mr. Sheehy told a friend that he "killed somebody tonight" and showed him how he killed her.

II. PAROLE HEARING ON JULY 25, 2017

Mr. Sheehy, now 51-years-old, appeared before the Parole Board for a review hearing on July 25, 2017, and was represented by Attorney Patricia Garin. Mr. Sheehy was denied parole after his initial hearing in 2001, as well as after his review hearings in 2006, 2011, and 2014. In his opening statement to the Board, Mr. Sheehy apologized to the family of the victims. He expressed his remorse for the murder of Ms. Fisher and the attempted murder of another woman. Mr. Sheehy also thanked the Board for the "advice, directional feedback, and support" that they had provided him at his last hearing and for directing him towards beneficial institutional programming. Mr. Sheehy learned that his crimes were motivated by "being challenged," which he perceived as a threat. He indicated that he also harbored resentment towards women in his family, as well as his ex-girlfriend. Through programming, Mr. Sheehy stated that he has been able to identify and address his "triggers." Mr. Sheehy completed the sex offender treatment program, from which he indicated that he benefitted. When asked by the Board why he had not completed the program until recently, Mr. Sheehy said that, initially, he "didn't want to look at the level of violence and sexual behavior." He said that when he began to change his perspective, he decided to participate in the program.

In describing the governing offense, Mr. Sheehy said that he met Ms. Fisher at a house party. As they were leaving, Mr. Sheehy asked Ms. Fisher if she "wanted to party" and told her that he had cocaine. After stopping at a convenience store, the two drove to Fort Hill Park, where they did cocaine and talked. At a certain point, the two began to engage in sexual intercourse in

² The motion for a new trial was grounded on the fact that the alternate jurors for his trial were 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).

the back seat. According to Mr. Sheehy, Ms. Fisher then demanded more cocaine, which he told her he did not have. Mr. Sheehy stated that he perceived her demand as a challenge and became angry. Mr. Sheehy began choking Ms. Fisher and hit her in the face "a couple of times." He said that Ms. Fisher was semi-conscious when he pulled her out of the car and drove away. When the Board asked Mr. Sheehy about the role of drugs in the governing offense, he indicated that he used the drugs to coerce Ms. Fisher. He "[took] advantage of the situation."

Mr. Sheehy also described the attempted murder of another woman, which occurred approximately one week after the murder of Ms. Fisher. Mr. Sheehy indicated that on the night of the incident, the woman asked him for drugs. At a certain point, however, the woman told Mr. Sheehy that she did not have any money. Mr. Sheehy believed that the woman was attempting to take advantage of him to get her drugs for free. As the woman began to walk away, Mr. Sheehy took his belt off and came up behind her. He put the belt around her neck, attempting to strangle her. Mr. Sheehy indicated that when he acted out violently, he often resorted to strangulation with both men and women because "it came naturally." Mr. Sheehy described being strangled by his adoptive father with a belt as a child. When asked why Mr. Sheehy chose to target two women, he explained that he was "holding a lot of resentment, blame and anger against [his] mother, sister, aunts and [his ex-girlfriend]." Mr. Sheehy also acknowledged that he exhibited "overbearing" and "jealous" behavior against his ex-girlfriend, which he now recognizes as a form of domestic violence. The Board expressed concerns that Mr. Sheehy has still not fully resolved these issues in just three years of treatment.

Although Mr. Sheehy has participated in several programs, including Sex Offender Treatment and the Correctional Recovery Academy ("CRA"), the Board expressed concerns that Mr. Sheehy's manipulative behavior would have an impact on his ability to comply under parole supervision. The Board also had concerns that Mr. Sheehy's presentation appeared "scripted." The Board noted that his 2014 comprehensive evaluation (performed by the Massachusetts Treatment Center) highlighted several "red flags." The evaluation indicated that Mr. Sheehy's treatment participation "feels like a show." The therapist described Mr. Sheehy "as grandiose and narcissistic, noting his tendency to engage in positive impression management, as well as overuse of technical language... [He] minimize[d] his role in past antisocial behavior and gave multiple qualifying statements for his past transgressions." Mr. Sheehy noted that his other therapists did not convey the same impressions of him.

The Board considered the testimony of Mr. Sheehy's wife, his counselor, his sponsor, and a friend, all of whom expressed support of parole. Attorney Garin indicated that Mr. Sheehy's mother was unable to attend the hearing due to an illness. Attorney Garin read a portion of a support letter submitted to the Board from Dr. Jeffrey Botman. The Board also considered the testimony of the victim of the attempted murder, as well as the niece and daughter of Samantha Fisher, all of whom testified in opposition to parole. In addition, Middlesex County Assistant District Attorney Christopher Tarrant provided testimony in opposition to parole.

III. DECISION

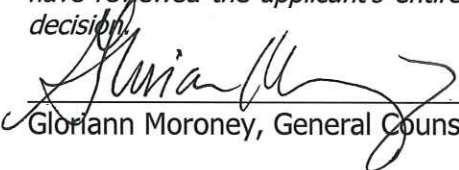
The Board is of the opinion that Paul Sheehy has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Sheehy remains manipulative and does not appear credible. He continues to minimize his culpability and does


not show genuine remorse or empathy. Further, Mr. Sheehy has presented numerous versions of the governing offense.

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 unanimous opinion that Paul Sheehy is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Sheehy's next appearance before the Board will take place in three years from the date of this hearing. During the interim, the Board encourages Mr. Sheehy 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.


Giann Moroney, General Counsel


Date