



*The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security*



**PAROLE BOARD**

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**Charles D. Baker**  
*Governor*

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*Lieutenant Governor*

**Terrence Reidy**  
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**Gloriann Moroney**  
*Chair*

**Kevin Keefe**  
*Executive Director*

**RECORD OF DECISION**

**IN THE MATTER OF**

**SEAN EVELYN  
W94765**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** November 16, 2021

**DATE OF DECISION:** April 26, 2022

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa<sup>1</sup>

**STATEMENT OF THE CASE:** On July 6, 2009, in Suffolk Superior Court, Mr. Evelyn was found guilty of the second-degree murder of 20-year-old Cushings Fortuna. He was sentenced to life in prison with the possibility of parole.

Mr. Evelyn appeared before the Parole Board for an initial hearing on November 16, 2021 and was represented by Boston College law students Clare McLeod and Emy Metzger. The entire video recording of Mr. Evelyn’s November 16, 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 a unanimous vote that the inmate is a suitable candidate for parole. Reserve to Long Term Residential Program (LTRP) or Community Resources for Justice – Transitional Housing after completion of 90 days in in lower security. Mr. Evelyn shot and killed Cushings Fortuna when he was 20 years old. He has been incarcerated for 15 years. This is his first incarceration of any kind Mr. Evelyn presented with significant insight to his crime. He has benefited from programs such as Restorative Justice, Violence Reduction, Able Minds, and Anger Management. He has also earned a Bachelor of Arts from Boston University and has maintained employment throughout this incarceration.

<sup>1</sup> Chair Moroney recused.

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. Evelyn'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. Evelyn's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Evelyn's case, the Board is of the opinion that Mr. Evelyn is rehabilitated and merits parole after successful completion of 90 days in lower security.

**Special Conditions:** Reserve to Long Term Residential Program (LTRP) or Community Resources for Justice – Transitional Housing (six months); Waive work for two weeks or program; Curfew 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 Security Threat Group affiliation/activity; 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

4/26/22  
Date