



The Commonwealth of Massachusetts
Executive Office of Public Safety

PAROLE BOARD

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DECISION

IN THE MATTER OF

SUNIL SHARMA

W66446

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: July 26, 2011

DATE OF DECISION: August 14, 2012

PARTICIPATING BOARD MEMBERS: Cesar Archilla, John Bocon, Dr. Charlene Bonner, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: Parole is denied with a review in five years. The decision is unanimous.

I. STATEMENT OF THE CASE

In 1996 Sunil Sharma was a member of a "crew" whose members used violence to rob and extort illegal gambling operations in Boston's Chinatown. Records indicate that Mr. Sharma was 17 years old and had emigrated from his native India to Massachusetts at age nine. On the night of April 16, 1996 Sunil Sharma and two other crew members entered the Rainbow Restaurant on Oxford Street in Chinatown. He sat down with members of a rival crew who earlier in the evening had extorted money from a gambling club that Mr. Sharma believed should be part of his criminal territory. Mr. Sharma produced a handgun and fired repeatedly at the two men, striking them multiple times. One of the bullets he fired struck and killed Ky Ung Shin, an 18-year-old female who happened to be seated nearby. He threw the murder weapon in Boston Harbor and fled to Detroit where he was arrested two months later.

Mr. Sharma pleaded guilty to the second-degree murder of Ky Ung Shin on April 28, 1999 and received a life sentence. He also pleaded guilty to two counts of armed assault with intent to murder for shooting the two men. He received a 7 to 10 year sentence on each count. Those two sentences are concurrent with each other, but are from and after the life sentence.

II. INSTITUTIONAL CONDUCT

Sunil Sharma has served 15 years of his life sentence. His institutional conduct is terrible. He received seven disciplinary reports for fighting during his time in jail awaiting trial. After sentencing, he received nine disciplinary reports in his first year at the Department of Correction.

In April 2000, Mr. Sharma slashed another inmate for which he was sentenced to 24 months in the DDU. From the DDU he was placed in a special management unit but his behavior deteriorated again. He received two disciplinary reports for fermented juices. In February 2004 he stabbed another inmate again. The inmate was stabbed six times, was cut numerous times, and was treated for life-threatening injuries. Mr. Sharma spent more time in DDU. He refused to participate in his 2005 classification hearing.

By August 2005, the inmate was released from DDU and placed in special management. On September 1, 2005, Mr. Sharma was traveling in a van to the hospital when he slipped his wrist restraints and beat another inmate in the van. On June 1, 2008, he assaulted a corrections officer.

The inmate's last disciplinary report was in 2009. He has increased his program participation in recent years and has completed criminal thinking, emotional awareness, and Jericho Circle. He is also involved in Muslim services.

III. PAROLE HEARING ON JULY 26, 2011

Sunil Sharma seeks parole to his concurrent sentences of 7 to 10 years. There is an order of deportation to his native country of India. The inmate says his immediate family is here in the United States but he has extended family in India. He says that Sunil Sharma is not his real name and that his travel documents overstated his age by one year; he says he was age 16 (rather than 17) at the time of the murder.

The inmate clarified some information that he had supplied in his statement to police. He said he lied when he claimed the two male victims reached for guns. He also said he was not paid by an organized crime leader to kill the two men. He said that this was his own dispute based on his attempts to "provide security" at gambling operations. He said that he made false statements to police to deflect responsibility.

Mr. Sharma showed an inclination at the hearing to deflect responsibility or minimize the harm of his actions. He said he was involved in criminal activity for the purpose of obtaining money to help the pregnant girlfriend of a friend. In discussing his work with his crew, he described himself as a bouncer who protected patrons from other patrons. He minimized the planning and intent involved in bringing the gun to the meeting with the male victims. A Parole Board Member pointed out these self-serving characterizations. In reality, Mr. Sharma was involved in the crew for his own criminal gain; he was not "providing security" but rather extorting money from gambling operators who paid the crew so they would not be robbed of gambling proceeds; and he confronted the rival crew in order to take their business and he shot at the two men with the intent to kill them. Mr. Sharma eventually admitted that he had inaccurately described and minimized all these points.

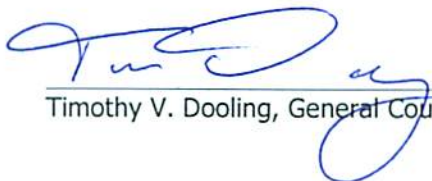
The inmate admitted that he slashed or stabbed other inmates on two separate occasions. He admitted that he slipped his cuffs and beat another inmate while traveling in a van. He admitted he fought with a corrections officer but stated that he was not the aggressor. He did admit that he threatened another correction officer as part of that incident. He used the hearing as an opportunity to make disparaging remarks about corrections officers and bragged that "I could easily hurt them."

Suffolk Assistant District Attorney Charles Bartoloni opposed parole. There were no supporters of parole in attendance.

IV. DECISION

Sunil Sharma has a violent prison record. Through his prison conduct, Mr. Sharma has proven that he remains a very dangerous person. He has used the institutional environment to nurture his anger, resentment, aggression, criminal thinking, and hostility. He needs many years of compliant behavior and much work to address the anger, aggression, and criminal thinking. Due to lack of rehabilitation, Mr. Sharma would likely re-offend if released and parole release is not compatible with the welfare of society. Because he needs many years of compliant behavior and rehabilitative work, there is no reason to shorten the statutory period of five years before the next hearing.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.



Timothy V. Dooling, General Counsel



Date