

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

WILLIAM SYLVIA

W61782

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **December 15, 2022**

DATE OF DECISION: **January 19, 2023**

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On December 16, 1996, in Bristol Superior Court, William Sylvia pleaded guilty to the second-degree murder of Kristine Sylvia and was sentenced to life in prison with the possibility of parole. He also pleaded guilty to three counts of unlawful possession of a firearm for which he received 3 to 5-year concurrent sentences.

Mr. Sylvia appeared before the Parole Board for a review hearing on December 15, 2022. He was not represented by counsel. Mr. Sylvia was denied parole after his 2009 initial hearing and after his review hearings in 2012 and 2017. The entire video recording of Mr. Sylvia's December 15, 2022, 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 unanimous vote that the inmate is not a suitable candidate for parole.

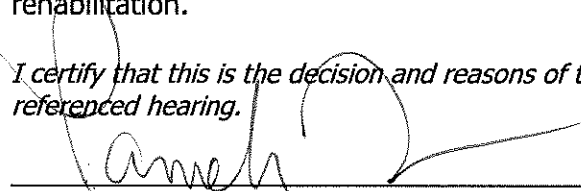
The Board is of the opinion that William Sylvia has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Throughout the hearing, the Board noticed that Mr. Sylvia appeared to be easily overwhelmed and confused. The Board is concerned he is suffering from cognitive issues that may have complicated his ability to fully participate in the hearing. Mr. Sylvia has PTSD, major depressive disorder, and has a history

of a TBI. He reported he was exposed to scarlet fever and Agent Orange as a child and young man, respectively. The Board feels strongly that he would benefit from an assessment to address cognitive deficits, ideally a neuropsychological evaluation. The Board would like to see Mr. Sylvia represented by counsel at his next hearing. Upon completion of the new evaluation, Mr. Sylvia is welcome to submit a reconsideration of this decision if appropriate. The Board is concerned about his competency.

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. Sylvia'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. Sylvia's risk of recidivism. After applying this standard to the circumstances of Mr. Sylvia's case, the Board is of the unanimous opinion that William Sylvia is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Sylvia's next appearance before the Board will take place in one year from the date of this hearing. During the interim, the Board encourages him 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.



Pamela Murphy, General Counsel

1/19/23
Date