



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

WILLIAM SYLVIA

W61782

TYPE OF HEARING: Review Hearing

DATE OF HEARING: December 5, 2017

DATE OF DECISION: October 23, 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 five years from the date of the hearing.

I. 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 and received 3-5 year sentences on each count. These sentences were to be served concurrent with his second degree murder sentence.

On December 17, 1994, at around 3:00 p.m., Kristine Sylvia was at her boyfriend's apartment when her estranged husband, William Sylvia (age 48) knocked on the door, armed with three hand guns. When Ms. Sylvia answered the door, Mr. Sylvia shot her using all the ammunition in one gun, and then, shot her several more times with a second gun before fleeing

the scene. Ms. Sylvia was taken to the hospital, where she was pronounced dead. A witness at the apartment identified William Sylvia as the shooter. Later in the evening, Mr. Sylvia's vehicle was pulled over, and he was arrested. Police found three loaded hand guns and a bag full of ammunition in his vehicle.

II. PAROLE HEARING ON DECEMBER 5, 2017

On December 5, 2017, William Sylvia, now 71-years-old, appeared before the Parole Board for a review hearing. He was not represented by counsel. Mr. Sylvia was denied parole after his initial hearing in 2009, as well as his review hearing in 2012. In his opening statement to the Board, Mr. Sylvia said that he regrets shooting Ms. Sylvia and takes full responsibility for his actions. However, Board Members noted that at past hearings, Mr. Sylvia seemed to minimize his culpability and partially fault his wife for the shooting. Mr. Sylvia responded that he does not blame his wife for anything, adding, "I can't even blame the weapon I used, because if I hadn't had the weapon, it wouldn't have done it."

When Board Members asked whether he engaged in any of the suggested rehabilitative programming, Mr. Sylvia said he completed all of the mandatory recommended programs, including some that were not mandatory. When asked whether any of his programming addressed domestic violence, Mr. Sylvia said, "The one time that there was domestic violence was when I committed the crime." Mr. Sylvia agreed with the Board that his wife leaving him was a big part of why he killed her. The Board noted that Mr. Sylvia had threatened suicide many times, but had never attempted suicide. When asked if threats of suicide might have been a form of manipulation to get his wife to return, Mr. Sylvia agreed that they might have been. The Board noted that Mr. Sylvia had been frequenting the coffee shop next to Ms. Sylvia's boyfriend's house, as well as other indications that he had been stalking her. When asked whether he was stalking his estranged wife, Mr. Sylvia responded, "Maybe yes, maybe no." The Board also asked if Mr. Sylvia had left any threatening or inappropriate messages on Ms. Sylvia's voicemail. Mr. Sylvia said that he may have said some things when he was angry, but claims that he can't remember anything specific.

Although Mr. Sylvia claimed that he did not plan on shooting his estranged wife, Board Members questioned him as to why he went to her boyfriend's door looking for her, armed with three guns. Mr. Sylvia explained that his original plan was to go to a nearby K-Mart to commit a mass shooting/suicide and, since her boyfriend's house was on the way, he stopped to say goodbye and give his estranged wife some personal papers. Mr. Sylvia said that when Ms. Sylvia opened the door and saw that he had a gun, she grabbed it. The gun went off and that "just snapped me." After that, Mr. Sylvia said, "For the first time in my life, I was angry." When the Board asked Mr. Sylvia if he had shot Ms. Sylvia with two guns, he said that he emptied one gun and then shot her with another because, as he was taught in the military, "when you put an enemy down, you make sure they're down." Mr. Sylvia said that his military training was also the reason why he reloaded his guns after leaving the crime scene. Board Members asked Mr. Sylvia if he had still planned on carrying out his mass shooting plan upon leaving the crime scene. Mr. Sylvia said that after shooting his estranged wife, "it was like someone had poured cold water on him," and he no longer wanted to commit the mass murder/suicide.

Mr. Sylvia asked the Board to parole him to the Veterans' Transitional Housing Services and expects to be able to obtain counseling through the Veterans' Administration. Mr. Sylvia said that he would not work, but has a pension from his time in the National Guard. He also said that he has support from his brother and sister.

Mr. Sylvia's family submitted letters in support of parole. Ms. Sylvia's family submitted letters in opposition to parole. Bristol County Assistant District Attorney Patrick Bomberg testified in opposition to parole and submitted a letter, as well.

III. DECISION

The Board is of the opinion that William Sylvia has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Sylvia's testimony remains in conflict with that of the Commonwealth. He has yet to fully comprehend his actions/behaviors related to his estranged wife, prior to shooting her. Mr. Sylvia minimizes the stalking and controlling behavior that he exhibited leading up to 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. 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 five years from the date of this hearing. During the interim, the Board encourages Mr. Sylvia 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.



Gloriann Moroney, Executive Director/General Counsel

10/23/18
Date