

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



**PAROLE BOARD**

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**RECORD OF DECISION**

**IN THE MATTER OF**

**GINO GAILLARDETZ**

**W42848**

**TYPE OF HEARING:**            **Review Hearing**

**DATE OF HEARING:**        **October 24, 2023**

**DATE OF DECISION:**       **January 4, 2024**

**PARTICIPATING BOARD MEMBERS:** Dr. Charlene Bonner, Tonomey Coleman, Tina M. Hurley, James Kelcourse

**STATEMENT OF THE CASE:** On October 8, 1986, in Barnstable Superior Court, Gino Gaillardetz pleaded guilty to second-degree murder in the stabbing death of 43-year-old Francis Gray and was sentenced to life in prison with the possibility of parole. The life sentence was ordered to run consecutive to a 40 to 60 year sentence imposed that same day for the armed robbery of Mr. Gray. The life sentence was later revised to run concurrent with the 40 to 60 year sentence.

Gino Gaillardetz was drinking and using cocaine on the night of April 14, 1986, while on parole supervision from a prior sentence. He met Francis Gray and planned to rob him. Displaying a knife, Mr. Gaillardetz demanded Mr. Gray's money. After Mr. Gaillardetz took the wallet, Mr. Gray grabbed him. Mr. Gaillardetz then stabbed Mr. Gray once in the chest. Mr. Gray fell to the ground, and Mr. Gaillardetz proceeded to stab him two more times in the chest, killing him. Mr. Gaillardetz fled, but he was arrested the next day.

**PAROLE HEARING:** Gino Gaillardetz appeared before the Board on October 24, 2023, for a review hearing. He was represented by Attorney Joseph Comenzo. Mr. Gaillardetz was paroled after an initial hearing in 2009. Months later, his parole was revoked. Following a review hearing in 2011, Mr. Gaillardetz was re-paroled. He was then returned to custody in December 2020, and his parole was revoked a second time. In 2021, Mr. Gaillardetz appeared before the Board for a review hearing, after which he was denied parole. The entire video recording of Mr. Gaillardetz's October 24, 2023 hearing is fully incorporated, by reference, into the Board's decision.

**DECISION OF THE BOARD:** 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.


After careful consideration of all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of offense, the criminal record, the 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 that the inmate is a suitable candidate for parole, subject to special conditions.

In forming this opinion, the Board has taken into consideration Mr. Gaillardetz'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. Gaillardetz's risk of recidivism. After applying this standard to the circumstances of Mr. Gaillardetz's case, the Board is of the opinion that Mr. Gaillardetz is rehabilitated and, therefore, merits parole at this time, subject to special conditions.<sup>1</sup>

Parole is granted to LTRP (Long Term Residential Program) or CRJ. Mr. Gaillardetz appeared before the Board for the fourth time. He was on parole for 6 years before a return to custody in November 2020. He explained to the Board that he had difficulties adjusting to the isolation and loss of contacts during the COVID pandemic. Since his return to custody, Mr. Gaillardetz has engaged in a significant amount of programming – upwards of 15 programs. He is addressing mental health and behavioral issues through programming, including RTU. His release plan demonstrates that he will receive support for residential and employment opportunities. No one spoke in support, but multiple letters were submitted. Members of the victim's family provided testimony in opposition.

**SPECIAL CONDITIONS:** Waive work for 2 weeks; Curfew - must be at home between 10PM and 6AM; Electronic monitoring; Must take prescribed medications if prescribed; 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 contact with victim's family; Must have substance abuse evaluation and must comply with recommended treatment plan; Must have mental health counseling for PTSD; Long Term Residential Program or CRJ program; Mandatory sponsor.

*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.*

  
\_\_\_\_\_  
Tina M. Hurley, Chair

\_\_\_\_\_  
1/4/24  
Date

<sup>1</sup> One Board Member voted to deny parole with a review in two years.