

Secretary

The Commonwealth of Massachusetts Executive Office of Public Safety and Security

PAROLE BOARD

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Tonomey A. Coleman
Acting Chair

Lian Hogan *Executive Director*

RECORD OF DECISION

IN THE MATTER OF

GLENN HART W61997

TYPE OF HEARING:

Initial Hearing

DATE OF HEARING:

March 5, 2025

DATE OF DECISION:

July 8, 2025

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, Rafael Ortiz²

VOTE: Parole is denied with a review in 2 years from the date of the hearing.³

PROCEDURAL HISTORY: On January 24, 1997, Glenn Hart was convicted of murder in the first-degree, as well as murder in the second-degree. Mr. Hart was sentenced to life without the possibility of parole for first-degree murder and life with the possibility of parole for second degree murder. The sentences were ordered to run concurrently.⁴

Mr. Hart became parole eligible following the Supreme Judicial Court's decision in Commonwealth v. Mattis, 493 Mass. 216 (2024), where the court held that sentencing individuals who were ages 18 through 20 at the time of the offense (emerging adults) to life without the possibility of parole is unconstitutional. As a result of the SJC's decision in regard to

¹ Chair Hurley participated in the vote on this matter prior to her departure from the Board.

² Board Member Ortiz was not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote.

³ Two Board Members voted to deny parole with a review in one year. One Board Member voted to parole Mr. Hart.

⁴ Mr. Hart was also convicted of unlawful possession of an altered firearm (3-5 years); and armed assault with intent to murder (10-15 years). The sentences were served concurrently with Mr. Hart's life sentences.

Mr. Hart's first-degree murder conviction, his mittimus was corrected to reflect that his life sentence carried the possibility of parole after serving 15 years.

On March 5, 2025, Glenn Hart appeared before the Board for an initial hearing with Attorney Matthew Soares. The Board's decision fully incorporates by reference the entire video recording of Mr. Hart's March 5, 2025, hearing.

STATEMENT OF THE CASE: On February 11, 1994, 19-year-old Glenn Hart killed both 17-year-old Michael Moore and 21-year-old Pierre Pauleus and injured a third individual in Rockland. About one week prior to the shootings, Mr. Hart, Mr. Moore, and Mr. Pauleus committed an armed robbery in Brockton. The group robbed three men walking down the street, which included the theft of a Red Sox jacket, which Mr. Hart kept. An argument between the men over the stolen Red Sox jacket occurred on February 11, 1994, at an apartment. Mr. Hart left the apartment and informed the men he was going to retrieve the jacket from his nearby home. Mr. Hart retrieved the jacket and returned to the apartment. Mr. Hart, who was carrying the jacket, knocked on the apartment door and was let inside. Mr. Hart shot Mr. Moore three times and shot Mr. Pauleus once, causing their deaths. The third victim was shot in the arm but survived.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the 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 and/or in written submissions to the Board.

Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). Individuals who were emerging adults at the time of the offense must be afforded a "meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation" and the Board evaluates "the circumstances surrounding the commission of the crime, including the age of the offender, together with all relevant information pertaining to the offender's character and actions during the intervening years since conviction." Id. (citing Diatchenko v. District Attorney for the Suffolk Dist., 466 Mass. 655, 674 (2013) (Diatchenko I); Miller v. Alabama, 567 U.S, 460, 471 (2012); Graham v. Florida, 560 U.S. 48, 75 (2010)). Since brain development in emerging adulthood is ongoing, the Board also considers the following factors when evaluating parole candidates who committed the underlying offenses as an emerging adult: 1) a lack of impulse control in emotionally arousing situations; 2) an increased likelihood to engage in risk taking behaviors in pursuit of reward; 3) increased susceptibility to peer influence which makes emerging adults more likely to engage in risky behavior; and 4) an emerging adult's greater capacity for change. See Mattis, 493 Mass. at 225-229.

DECISION OF THE BOARD: Mr. Hart is 50-years-old and has been incarcerated for the past 31 years. Mr. Hart received this sentence for murdering two people and seriously injuring a third person. While incarcerated, Mr. Hart incurred 32 disciplinary reports, the last occurring 4 years ago. The Board notes that Mr. Hart has engaged in programming while incarcerated, but the Board would like to see Mr. Hart engage in further programming to gain additional insight into his behavior and a deeper understanding of the triggers to violence he discussed with the Board at the hearing.

The Board considered the mental health evaluation and testimony of Dr. Stephen Tabashneck, and the recent reentry plan and testimony provided by Kimberly Mortimer, LMHC. The Board considered testimony in support of parole from two friends of Mr. Hart. The Board considered testimony in opposition to parole from the victims' family members. Plymouth County Assistant District Attorney Arne Hantson also provided testimony in opposition to parole.

I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the abovereferenced 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.

Tonomey A. Coleman, Acting Chair