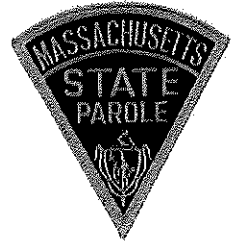




The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760



Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Gina Kwon
Secretary

Telephone: (508)-650-4500

Facsimile: (508)-650-4599

Angelo Gomez, Jr.
Chair

Lian Hogan
Executive Director

RECORD OF DECISION

IN THE MATTER OF

JEFFREY HARDY
W57408

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: June 26, 2025

DATE OF DECISION: January 6, 2026

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, James Kelcourse, Rafael Ortiz¹

VOTE: Parole is granted to CRJ after 6 months total in lower security.²

PROCEDURAL HISTORY: Jeffrey Hardy was convicted of first-degree murder by a jury, in Middlesex Superior Court, on March 30, 1995. He was sentenced to life in prison without the possibility of parole to be served concurrently with another sentence he was serving at the time.

Mr. Hardy 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 regarding his first-degree murder conviction, Mr. Hardy was re-sentenced to life with the possibility of parole after 15 years.

On June 26, 2025, Mr. Hardy appeared before the Board for an initial hearing. He was represented by Attorney Michael Hussey. The Board's decision fully incorporates by reference the entire video recording of Mr. Hardy's June 26, 2025, hearing.

¹ 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.

² Two Board Members voted to deny parole with a review in 2 years.

STATEMENT OF THE CASE: Thomas Moran (age 19) was discovered in a Medford park on April 28, 1994, with a gunshot wound to his face and 79 stab wounds on his body. On the day of the murder, Jeffrey Hardy (age 20) was with Mr. Moran, Gerald Sullivan, Richard Alison, and C.R.³ On the afternoon of the murder, they played basketball and drank beer. Mr. Hardy purchased marijuana treated with PCP, which Mr. Moran smoked that afternoon and evening when the group was at a friend's house. Mr. Moran made numerous comments throughout the evening that upset Mr. Hardy. Apparently, the effects of the drugs were not strong, so Mr. Moran stated that the drug was "fake" and that Mr. Hardy "got beat." He also referred to Mr. Hardy and Mr. Sullivan as "chumps" and "idiots." During the gathering at the friend's house, Mr. Hardy left for about 15 minutes and returned with a firearm tucked in his pants. Mr. Hardy showed the gun to C.R.

The group went to a bar and then drove around to a nearby park. At the park, Mr. Hardy instructed everyone to get out of the car and where to stand, stating that a dealer would be coming their way. C.R. saw Mr. Sullivan point a gun at Mr. Moran's head. He then saw Mr. Hardy grab the gun and shoot Mr. Moran, who exclaimed, "Hardy shot me in the mouth." With the exception of C.R., the men stabbed the victim repeatedly. Another witness testified to admissions made by Mr. Hardy following the crime, including, "Did you hear how many times we got him? 80 times."

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

³ Mr. Alison and Mr. Sullivan were also convicted of first-degree murder in connection with Mr. Moran's death. The name of C.R. has been withheld for privacy purposes.

behavior; and 4) an emerging adult's greater capacity for change. See Mattis, 493 Mass. at 225-229.

DECISION OF THE BOARD: Mr. Hardy appeared before the Board for an initial hearing after becoming parole eligible under the *Mattis* decision. The Board considered Mr. Hardy's disciplinary history that included violence, but he has remained disciplinary report free for 15 years. He has been sober for 29 years. He has engaged in programming. The Board considered the report of Dr. Joel Nunez. Mr. Hardy currently is at low risk on the risk assessments. The Board heard testimony in support of parole from two family members and a friend of Mr. Hardy. The Board heard testimony in opposition to parole from Mr. Moran's brother and sister. A state police detective, a member of the clergy, and Middlesex County Assistant District Attorney Adrienne Lynch also testified in opposition to parole. The Board concludes that Jeffrey Hardy has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Waive work for 2 weeks; Electronic monitoring for 6 months; Must be at home 10PM to 6AM or curfew at discretion of Parole Officer; Supervise for drugs with testing in accordance with Agency policy; Supervise for liquor abstinence with testing in accordance with Agency policy; Report to assigned MA Parole Office on day of release; No contact with victim's family; Must have mental health counseling for adjustment; Residential Program CRJ; Mandatory-may have contact with [named individual].

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.


Angelo Gomez, Jr., Chair

January 6, 2026
Date