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Tina M. Hurley
Chair

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RECORD OF DECISION

IN THE MATTER OF

KEVIN HALIDAY
W84513

TYPE OF HEARING: Review Hearing

DATE OF HEARING: January 9, 2025

DATE OF DECISION: April 28, 2025

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

VOTE: Parole is granted on/after 2 weeks from issuance of Decision to Interstate Compact Alabama.

PROCEDURAL HISTORY: On November 16, 2004, in Barnstable County Superior Court, Kevin Haliday was convicted of murder in the second degree for the death of Daniel Mendes. He was sentenced to life in prison with the possibility of parole. Mr. Haliday was also convicted of possession with intent to distribute Class B and received a sentence of 9 to 10 years, to run from and after the life sentence. Additionally, Mr. Haliday was convicted of possession of a firearm without a license and was sentenced to 4 to 5 years, to run concurrently with the second-degree murder conviction. Parole was denied following an initial hearing in 2017. On January 9, 2025, Kevin Haliday appeared before the Board for a review hearing. He was represented by Deirdre Thurber. The Board's decision fully incorporates by reference the entire video recording of Kevin Haliday's January 9, 2025, hearing.

STATEMENT OF THE CASE: On December 11, 2002, at approximately 8:00 p.m., 26-year -old Kevin Haliday went to 402 Bearse's Way in Hyannis. When Mr. Haliday arrived, his cousin, Daniel Mendes, was on the phone. At some point, they both entered a bedroom and started talking. After a witness heard a loud noise, Mr. Haliday exited the bedroom and left the residence. The witness went into the bedroom and saw Mr. Mendes holding his head where he

¹ Chair Hurley and Board Member Coleman were not present for the hearing, but both reviewed the video recording of the hearing and the entirety of the file prior to vote.

had been shot. Police were called, but Mr. Mendes eventually died from a single gunshot wound to his head. Mr. Haliday was arrested that same day.

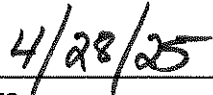
APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain 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 (if applicable).

DECISION OF THE BOARD: This was Mr. Haliday's second appearance before the Board. Since the last hearing, Mr. Haliday engaged in a forensic mental health evaluation as recommended by the Board. The evaluation was conducted by Dr. Dicataldo. He also engaged in an evaluation provided by Nancy Moniz, LISCW, who informed the Board of his re-entry needs and how to access services. The Board considered both evaluations in rendering its decision. Mr. Haliday completed 6 programs since his last hearing. He has remained disciplinary report free and has been sober for more than a decade. Mr. Haliday appeared to have gained insight into the precipitants of his offense and has engaged in treatment to address his needs. Mr. Haliday was pursuing college courses prior to the offense. He has employment skills and a significant support system. Mr. Haliday presented as motivated for continued treatment in the community and has supports to assist him with his re-entry needs. The Board considered public testimony in rendering its decision. Mr. Haliday's mother and aunt spoke in support of parole. Mr. Mendes' sister, brother and aunt spoke in opposition to parole. The Board concludes by unanimous decision that Mr. Haliday has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Release to other authority: Interstate Compact Alabama; Waive work for 2 weeks; Must be home between 10 PM and 6 AM; Electronic monitoring for 6 months, if receiving state agrees; 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) or victim's family; Must have mental health counseling for adjustment, anxiety, and relapse prevention.

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


Date