



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



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RECORD OF DECISION

IN THE MATTER OF

MARK HAYDEN
W96324

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: May 15, 2025

DATE OF DECISION: October 23, 2025

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

VOTE: Parole is denied with a review in 3 years from the date of the hearing.¹

PROCEDURAL HISTORY: On April 13, 2010, in Bristol Superior Court, Mark Hayden pleaded guilty to murder in the second-degree for the death of Andrew Colwell. He was sentenced to life in prison with the possibility of parole. On that same date, he was convicted of larceny and two counts of possession of a firearm and sentenced to 2 years to 2 years and 1 day on the larceny conviction, to be served consecutively from the murder conviction sentence and also sentenced to consecutive terms of 2 years to 2 and one half years on the firearms convictions, to be served concurrently with the murder conviction sentence.

On May 15, 2025, Mark Hayden appeared before the Board for an initial hearing. He was not represented by counsel. The Board's decision fully incorporates by reference the entire video recording of Mr. Hayden's May 15, 2025, hearing.

STATEMENT OF THE CASE: On July 7, 2008, 19-year-old Mark Hayden murdered 18-year-old Andrew Colwell in Mansfield. Mr. Hayden had set up a transaction to purchase approximately one pound of marijuana from Mr. Colwell and Mr. Colwell's friend with the intent of stealing it. Mr. Colwell and his friend picked up Mr. Hayden at a prearranged location and drove to a parking lot. Mr. Colwell and his friend sat in the front seats of the car, and Mr. Hayden sat in the back.

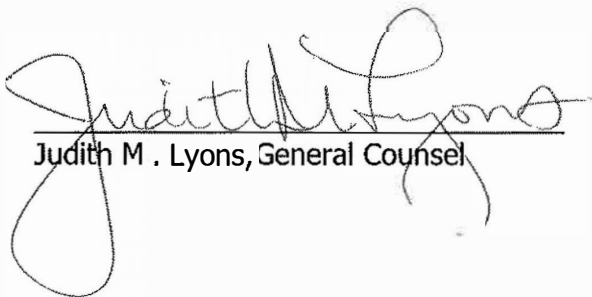
¹ Two Board members voted to grant parole.

After they reached the parking lot, Mr. Hayden pulled out a firearm and yelled at the men to give him the marijuana. Mr. Hayden then pointed the firearm at Mr. Colwell's head and pulled the trigger. Then, Mr. Hayden pointed the firearm at Mr. Colwell's friend and ordered him to give him the marijuana. Mr. Colwell's friend complied with Mr. Hayden's demand and gave him approximately ¾ of a pound of marijuana. Mr. Colwell subsequently died from the gunshot. Mr. Hayden then fled the scene. He was arrested at Boston's South Station the next 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.

DECISION OF THE BOARD: Mr. Hayden made his first appearance before the Board. He is now 36-years-old. The crime was committed when he was 19-years-old. The Board finds that Mr. Hayden has invested in educational pursuits, but has not yet invested sufficiently in Violence Reduction programming. The Board additionally has concerns regarding his behavior as evidenced by his 2016 disciplinary report. The Board considered the significant community opposition to parole. The Board acknowledges the testimony of the victim's family, as well as written letters submitted. The Board considered testimony in opposition to parole from Bristol County Assistant District Attorney Gillian Kirsch. The Board considered testimony in support of parole from Mr. Hayden's family and friends. The Board concludes that Mark Hayden has not demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

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.


Judith M. Lyons, General Counsel

10/23/25
Date