



The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



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RECORD OF DECISION

IN THE MATTER OF

MICHAEL EAGLES  
W43941

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: January 8, 2025

DATE OF DECISION: May 14, 2025

**PARTICIPATING BOARD MEMBERS:** Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman,<sup>1</sup> Sarah B. Coughlin, Tina M. Hurley, James Kelcourse, and Rafael Ortiz.

**VOTE:** Parole is granted to Interstate Compact (Rhode Island) after completion of 6 months in lower custody.<sup>2</sup>

**PROCEDURAL HISTORY:** Michael Eagles was convicted of first-degree murder and armed robbery in Plymouth Superior Court. On September 2, 1987, Mr. Eagles was sentenced to life in prison without the possibility of parole for first-degree murder, along with a concurrent sentence of life in prison with the possibility of parole for armed robbery.

Mr. Eagles 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, with regard to Mr. Eagles’ first-degree murder conviction, the mittimus was updated to reflect that Mr. Eagles’ life sentence permitted parole eligibility after serving 15 years.

On January 8, 2025, Michael Eagles, who was represented by Attorney Dennis Shed, appeared before the Board for an initial hearing. The Board’s decision fully incorporates by reference the entire video recording of Mr. Eagles’ January 8, 2025, hearing.

<sup>1</sup> Board Member Coleman was not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote.  
<sup>2</sup> Three Board Members voted to deny parole with a review hearing in two years.

**STATEMENT OF THE CASE:**<sup>3</sup> Mr. Eagles was convicted of both first-degree murder and the armed robbery of 79-year-old Lewis Jennings, which occurred on July 29, 1986, inside Mr. Jennings' trailer in Middleborough. On the date of the murder, Mr. Eagles was 20-years-old. Mr. Eagles and his co-defendant, Jeffrey Roberio,<sup>4</sup> went to Mr. Jennings' trailer to steal money from the home. A witness, who drove the men part of the way to Mr. Jennings' home, reported that Mr. Roberio claimed that he "was going to break into some guy's house." The comment was made while Mr. Eagles was standing beside Mr. Roberio. The next morning, a severely beaten Mr. Jennings was found dead on his living room floor. A pillowcase, which was used to strangle Mr. Jennings, was knotted around his neck. The medical examiner determined that Mr. Jennings' cause of death was multiple blunt force injuries and strangulation by ligature. Police determined that blood on Mr. Eagles' pants matched Mr. Jennings' blood type and hair found in Mr. Jennings' left hand was consistent with Mr. Eagles' hair.

At trial, Mr. Eagles presented a diminished capacity defense. A forensic psychologist testified that Mr. Eagles was heavily intoxicated at the time of the murder, had a "passive dependent personality disorder with depressive features," and an unspecified learning disability. Mr. Eagles initially denied involvement in the killing in a taped statement to police; however, at trial, Mr. Eagles acknowledged being present, but was adamant that he was only serving as Mr. Roberio's lookout.

During his initial parole hearing on January 8, 2025, and in pre-hearing statements to the Board, Mr. Eagles indicated that to feed his addiction, he served as Mr. Roberio's lookout. Mr. Eagles testified that he heard a noise inside the home. He went inside and saw Mr. Jennings with a shotgun pointed at Mr. Roberio. Mr. Eagles stated that he tackled Mr. Jennings and participated in the assault on Mr. Jennings; however, Mr. Eagles placed most of the blame on Mr. Roberio.

**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

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<sup>3</sup> The Statement of the Case is derived from *Commonwealth v. Eagles*, 419 Mass. 825, 826-30 (1995), and Mr. Eagles' statements and testimony in connection with his bid for parole.


<sup>4</sup> Mr. Roberio was also convicted of first-degree murder and armed robbery.

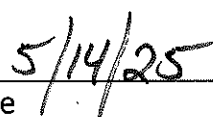
maturity and rehabilitation” and the Board evaluates “the circumstances surrounding the commission of the crime, including the age of the offender, together with all relevant information pertaining to the offender’s character and actions during the intervening years since conviction.” *Id.* (citing *Diatchenko 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 225-29.

**DECISION OF THE BOARD:** Mr. Eagles has served 38 years to date and is deemed a low risk on his LS/CMI. He began rehabilitative and self-development efforts well before the *Mattis* decision, which opened the opportunity for parole. He has maintained sobriety for over three decades, has completed numerous rehabilitative programs, and presented with insight and as having matured and changed. The Board considered his age at the time of the offense and the expert opinion of Dr. Robert Kinscherff, who found him to be at low risk of recidivism or violence. Mr. Eagles has worked consistently throughout his commitment. He is married and has the support of his wife and community. Mr. Eagles would likely benefit from parole supervision after a transitional period in lower security to maximize his potential for success on parole. The Board considered opposition testimony provided by Mr. Jennings’ family. The Board also considered opposition testimony from Plymouth County Assistant District Attorney Karen Palumbo. The Board considered testimony of three of Mr. Eagles’ supporters.

**SPECIAL CONDITIONS:** Approve home plan before release; Release to other authority: Interstate Compact (Rhode Island); Waive work for 2 weeks; No contact with victim(s)’ family; Electronic monitoring for 6 months; 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; Must have mental health counseling for adjustment.

*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