

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



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RECORD OF DECISION

IN THE MATTER OF

RONALD O'BRIEN
W35869

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: April 22, 2025

DATE OF DECISION: September 23, 2025

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Tonomey Coleman, Sarah B. Coughlin, James Kelcourse, Rafael Ortiz.¹

VOTE: Parole is granted to Community Resources for Justice (CRJ) or a Long-Term Residential Program (LTRP) after a 9-month step down to lower security from the date of decision, but not before DA Clearance.²

PROCEDURAL HISTORY: Ronald O'Brien was convicted of first-degree murder on November 22, 1976, in Middlesex Superior Court. Mr. O'Brien was sentenced to life in prison without the possibility of parole. In 2024, the Supreme Judicial Court held that a sentence of life without the possibility of parole was unconstitutional if the individual was in emerging adulthood (18-20 years old) on the date of the offense. *Commonwealth v. Mattis*, 493 Mass. 216 (2024). As a result of *Mattis*, Mr. O'Brien's mittimus was corrected to reflect that his life sentence now carried the possibility of parole after 15 years.

The Board held Mr. O'Brien's initial hearing on April 22, 2025. Mr. O'Brien appeared with Attorney Michael Hussey. The Board's decision fully incorporates by reference the entire video recording of Mr. O'Brien's hearing.

¹Board Members Coleman and Ortiz were not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote. Former Chair Hurley participated in the hearing on this matter, but departed the Board prior to the decision.

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

STATEMENT OF THE CASE: Ronald O'Brien (age 20) shot and killed John Telfair (age 87) on December 26, 1975, at Mr. Telfair's Woburn home. Mr. O'Brien knew Mr. Telfair, his neighbor, for most of his life. After the murder, Mr. O'Brien made multiple statements to third parties in which he admitted to shooting Mr. Telfair. A witness testified at trial that Mr. O'Brien and his girlfriend arrived at the witness's home between 1:30 A.M. and 2:30 A.M. on December 26, 1975. Mr. O'Brien admitted that he did something and wanted to leave town because he was afraid. When asked what happened, Mr. O'Brien stated that he went to Mr. Telfair's home, and Mr. Telfair pulled out a gun. The men struggled over the gun, and the gun fired. Mr. O'Brien asked the witness to drive him and his girlfriend to an airport or train station, which the witness refused to do. Mr. O'Brien and his girlfriend left. The next day, Mr. O'Brien was in Trenton, New Jersey.

Mr. O'Brien stayed in New Jersey for several days and recounted the murder on several occasions. While in New Jersey, Mr. O'Brien and his girlfriend met with his sister and brother-in-law in Camden. Mr. O'Brien showed his family members the cash and asked his sister to count it. His sister counted between \$500 and \$600. Mr. O'Brien recounted the murder at his sister's apartment, stating that he went to Mr. Telfair's home to ask him for money, but Mr. Telfair refused. When Mr. O'Brien persisted, Mr. Telfair pulled out a gun. In response, Mr. O'Brien took the gun from Mr. Telfair, knocked him to the ground, took his wallet, and shot him in the head. In addition, Mr. O'Brien searched Mr. Telfair's home and took other items, including checks and pills. Mr. O'Brien's brother-in-law testified that he saw Mr. O'Brien with pill bottles and checks with Mr. Telfair's name on them.

At trial, Mr. O'Brien denied shooting Mr. Telfair. Instead, Mr. O'Brien accused his girlfriend of shooting Mr. Telfair while he (Mr. O'Brien) was in the kitchen. Mr. O'Brien testified that he told others that he shot Mr. Telfair to protect his girlfriend.

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.

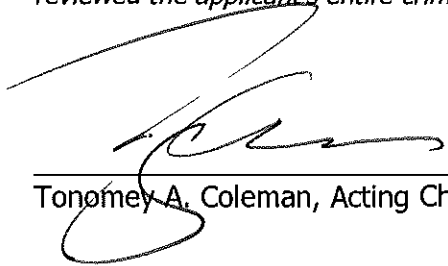
Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. *Commonwealth v. Mattis*, 493 Mass. 216, 238 (2024). 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.

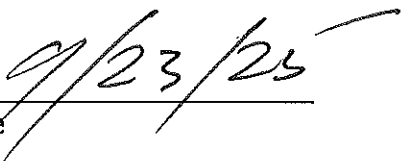
DECISION OF THE BOARD: Mr. O'Brien has been incarcerated for approximately 49 years. He became parole eligible as a result of the *Mattis* decision. Mr. O'Brien has not been engaged in rehabilitative programming, but he has remained employed. He has been sober while incarcerated. He has remained disciplinary report free for 24 years. He has various medical needs. The Board reviewed the re-entry plan of Lauren Honigman, LICSW. The Board also reviewed the evaluation by Dr. Greenwald. Given Mr. O'Brien's health issues, his addressing of criminogenic factors, including his sobriety, and his presentation of remorse at his parole hearing, the Board finds Mr. O'Brien's release is compatible with the welfare of society. Middlesex County Assistant District Attorney Alicia Walsh testified in opposition to parole.

SPECIAL CONDITIONS: Waive work for retirement; 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; No contact with victim(s)' family; Must have mental health counseling for adjustment; LTRP or CRJ residential program; Attend AA at least 3 times per week.

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.



Tonomey A. Coleman, Acting Chair



Date