



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF
RICHARD HAZARD

W59221

TYPE OF HEARING: Review Hearing

DATE OF HEARING: April 20, 2017

DATE OF DECISION: April 12, 2018

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Lucy Soto-Abbe

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of offense, criminal record, institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing or in written submissions to the Board, we conclude that the inmate is a suitable candidate for parole. Parole is reserved to Richard Hazard's 3 to 5 year sentence with special conditions.¹

I. STATEMENT OF THE CASE

On September 11, 1995, after a jury trial in Bristol Superior Court, Richard Hazard was found guilty of the second degree murder of 14-year-old Daniel Correia and sentenced to serve life in prison with the possibility of parole. That same day, he was also convicted of unlawful possession of a firearm and assault and battery by means of a dangerous weapon. Mr. Hazard was sentenced to serve a concurrent term of 3 to 5 years for the firearm offense and a consecutive 3 to 5 year term for the assault.

On April 15, 1994, at about 3:00 p.m., Scott Rose, Richard Hazard (then 28-years-old), Timothy Reaves, and Michael Coull went to Magnet Park (outside a New Bedford housing project) in Mr. Rose's Lincoln Town Car. Mr. Hazard went up to an 18-year-old man and asked if he had any dope (heroin) for sale. Mr. Hazard and the 18-year-old man then walked toward Mr. Rose, Mr. Reaves, and Mr. Coull, all of whom were waiting near the Lincoln. An altercation ensued, and a witness heard Mr. Rose say, "We'll be back."

¹ Four of the six Board Members voted to reserve Mr. Hazard to his 3 to 5 year sentence. Two Board Members voted to deny parole with a review in 2 years.

Two hours later, at about 5:00 p.m., the four men appeared at a house in Taunton, where Mr. Rose asked one of his friends to borrow a gun. The friend handed the gun and some green shells to Mr. Rose. At about 7:00 p.m., the 18-year-old man was in Magnet Park with his 14-year-old brother Daniel and some other friends. The brothers were leaning on a white car, talking. The 18-year-old man heard tires screeching and, when he looked up, saw the Lincoln driving past. The driver's side faced toward him. He saw a big pistol coming out of the rear driver side window, heard shots, and saw flashes from both driver side windows. He saw Mr. Rose, the driver, leaning back in his seat as he drove. The 18-year-old man and Daniel started to run when they heard the shots. As they took off, the 18-year-old man was struck in the leg and Daniel was struck in the heart.

After an extensive chase, Mr. Hazard and the others were apprehended in Taunton. At the time of the shooting, Mr. Hazard was the front seat passenger in the Lincoln and was observed with a shotgun in his hand. Daniel had been shot with a .9mm gun, which had been in Mr. Reaves' possession.

II. PAROLE HEARING ON APRIL 20, 2017

Richard Hazard, now 53-years-old, appeared before the Parole Board for a review hearing on April 20, 2017. Mr. Hazard was not represented by an attorney at this hearing.² In his opening statement to the Board, Mr. Hazard apologized to the family of the victims and expressed his remorse for the murder. Mr. Hazard said that what he did was "no less than despicable and reckless" and that the depth of his shame is "beyond words."

Mr. Hazard explained that he had grown up in "the projects" as one of seven children, with a mother he described as an alcoholic. His father was a cross-country truck driver, so he was never home. Mr. Hazard explained that he had no guidance and described himself as a follower influenced by peer-pressure. On the day of the murder, he and his friends went to a housing project in New Bedford. Mr. Hazard approached a couple of men and asked them if they had "dope for sale." Mr. Hazard found a man who said he would sell drugs to them, but an argument ensued between the man and his friend Timothy Reaves. The man had allegedly taken the money from Mr. Reaves, who was (at some point) knocked down. As Mr. Hazard and another gentleman helped Mr. Reaves into their car, a crowd of people in the area "ridiculed" them. As they were leaving, Mr. Rose yelled, "We'll be back!"

Mr. Hazard and his associates decided to go to another gentleman's house to retrieve guns. Although he did not want to go back, Mr. Hazard explained that where he grew up, you "always have your friend's back." Mr. Hazard joined the men, and they returned to the New Bedford housing project where the incident had occurred. Mr. Hazard stated that the plan had been for the group to get out of the vehicle, so that Mr. Reaves could confront the man that had struck him. However, when they entered the housing project, Mr. Reaves began shooting

² Mr. Hazard had retained counsel to represent him at his review hearing, but she was unable to attend due to another obligation. Mr. Hazard told the Board that his counsel suggested that he postpone the hearing. Mr. Hazard, however, opted to go forth with the hearing, absent the presence of his counsel. The Parole Board Chairman attempted to contact Mr. Hazard's attorney and conducted a brief colloquy at the beginning of the hearing, during which Mr. Hazard confirmed that he wished to go forth with his parole hearing without his attorney present. The Chairman told Mr. Hazard that he would keep the record open for two weeks, in case his attorney wished to submit any information.

out the back window. Mr. Hazard said that he then grabbed the shot gun and fired twice out the front window. Mr. Hazard indicated that "I just wanted to scare people. That was my intention." However, Mr. Hazard acknowledged that he is no less culpable than any of his co-defendants, and that the shots he fired could have killed someone.

Mr. Hazard believes that the Board's 2013 decision (denying him parole) helped him understand that he lacked insight into his crime and did not take accountability for his actions. Mr. Hazard stated, "It seemed like I was minimizing my role, when in all reality there is no minimizing - I'm just as guilty as every one of my co-defendants. I was there, I was a part of a cowardly act, a drive by shooting, and I had no lesser role than anybody else in that crime." Mr. Hazard credits the Restorative Justice Program, which taught him about accountability. He also participated in Restorative Justice Circles, with mothers who had lost children to street violence. At the time of his hearing, Mr. Hazard had been involved with the Restorative Justice Program for six years. Since 2013, Mr. Hazard has attained (what he described as) the highest position in the Correctional Recovery Academy (CRA): a liaison, mentor, and seminar teacher. Mr. Hazard participated in multiple programs, included acting as chairperson for the 12 Step program. He also worked as a houseman, as well as a backup dog handler in the National Education for Assistance Dog Services (NEADS) program.

Mr. Hazard had many supporters present at his parole hearing. His older sister, his nephew, a childhood friend, and another friend all testified in support of parole. Daniel Correia's father, as well as one of his brothers, testified in opposition to parole. Bristol County Assistant District Attorney Dennis Collins also testified in opposition to parole.

III. DECISION

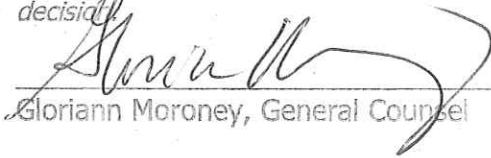
The Board is of the opinion that Mr. Hazard has continued to invest in his rehabilitation, to include: completion of Restorative Justice, CRA and GSP, Jericho Circle, and a significant amount of programming to address his causative factors. Parole is reserved to the 3 to 5 year commitment for assault. Mr. Hazard should continue his program involvement and positive adjustment.

The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." 120 C.M.R. 300.04. In forming this opinion, the Board has taken into consideration Mr. Hazard's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Hazard's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Hazard's case, the Board is of the opinion that Richard Hazard is a suitable candidate for parole to his 3 to 5 year commitment.

SPECIAL CONDITIONS: Release to from and after sentence – 3 to 5 for assault; 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; Mandatory - subject must adhere to the rules and regulations of the Department of Correction

and the Commonwealth of MA. In addition, he must remain program compliant and disciplinary report free (minor or major). Prior to release on parole for the governing offense, additional conditions will be imposed by the Board.

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.


Gloriann Moroney, General Counsel

4/12/18
Date