

Boston Globe on LCMedia's Harmony Montgomery SJC case

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**Supreme Judicial Court to consider making
Harmony Montgomery custody hearing records
public, says journalist seeking the documents**

By **Sean Cotter** Globe Staff



Harmony Montgomery. CRYSTAL RENEE SOREY

The Supreme Judicial Court will consider ordering records from Harmony Montgomery's 2019 custody hearing to be made public, according to court records and the journalist who's seeking the documents in an effort to get an unfiltered picture of the much-scrutinized hearing for the first time.

"The public needs to know what happened here," longtime investigative reporter Bill Lichtenstein of LCMedia Productions said in an interview. He said he's seeking this information as part of his reporting on the state of the child-welfare system in Massachusetts. The SJC's court records do not name Montgomery, but another person familiar with the court proceedings also confirmed to the Globe that Lichtenstein's case revolves around Harmony Montgomery's 2019 custody hearing.

The question has swirled around the high-profile case for years since 5-year-old Harmony's father, Adam Montgomery, beat her to death: What exactly led to a Massachusetts juvenile court judge deciding to place a vulnerable girl in the custody of a man with a history of violent crime?

A closed-door custody hearing in February 2019 resulted in Adam Montgomery gaining custody of his daughter, despite having a lengthy criminal record and little history of caring for the girl. Ten months later, she was dead.

The hearing has been the subject of numerous reports, interviews, and characterizations, but the specifics of how exactly it played out have remained hidden from the public, as Massachusetts laws generally shield juvenile court records.

"I am very much hoping that the SJC will examine the original premise behind this level of secrecy in the juvenile court," said Jennifer Lamanna, the Boston lawyer representing Lichtenstein on the SJC case.

Lichtenstein said they've been seeking the records since last May. An Essex County judge denied the request to make the documents from the custody hearing public, he said, so he appealed to the state Appeals Court.

Records show the SJC, which is above the Appeals Court, took jurisdiction of the case May 1. It did so "sua sponte," which means the high court grabbed it of its own accord, rather than in response to a specific new appeal.

On May 8, the SJC released a call for amicus briefs about the case, giving outside entities the chance to weigh in on its legal arguments. Montgomery's name doesn't appear anywhere in the announcement, which refers to a media company's appeal to access "various audio recordings of Juvenile Court proceedings in a high-profile care and protection case" that are impounded.

The docket for Lichtenstein's SJC case doesn't list Harmony's name, nor the names of her parents; it includes "Father," "Mother," and "Child" as people involved in the case, as well as the state Department of Children & Families and Lichtenstein's company. DCF declined to comment, citing the pending litigation, and lawyers for the three unnamed parties did not respond to multiple requests for comment about the case. But the Globe received confirmation that the matter involves Harmony Montgomery's case from Lichtenstein, his lawyer Lamanna, and from another person familiar with the proceedings.

The court system declined to comment.

DCF, "Mother," and "Child," as well as Lichtenstein, all have filed briefs that are impounded, according to court records and the clerk's office.

The Committee for Public Counsel Services, which has appointed lawyers representing the father in this case, did not comment directly on the specifics of these proceedings, but said in a statement that opening up juvenile court "is a complex issue that we continue to wrestle with."

"On one hand, the families and young clients we represent have significant privacy interests in the highly sensitive information that is often disclosed during hearings in these cases," the organization said in a statement. "However, our clients also have an interest in ensuring that justice is administered equitably, and public scrutiny through open courts is one way to effectuate that goal."

In February, a New Hampshire jury convicted Adam Montgomery of murdering Harmony and then working to hide her body, which has never been found. He was sentenced earlier this month to 56 years to life in prison, where he already sat following a 2023 weapons charge.

Harmony's death exposed dangerous lapses in the child protection services of two states, in part because her disappearance in 2019 went largely unnoticed by authorities in both New Hampshire and Massachusetts for two years. Her mother, Crystal Sorey, had lost custody in 2018 while she was struggling with addiction, leading to the 2019 hearing in which Adam Montgomery gained custody.

It wasn't until Sorey went to Manchester police in November 2021 that a concerted effort to find Harmony was mounted.

In 2022, New Hampshire Governor Christopher T. Sununu wrote a letter to the SJC encouraging the court system to probe the judge's decision in the custody hearing.

"It is unclear why the Massachusetts courts moved so quickly with this permanent placement prior to the completion of the home study," Sununu wrote. "Why would the Massachusetts court choose to place custody of Harmony with this horrible individual? What caused such a fateful decision?"

Maria Mossaides, director of the Massachusetts Office of the Child Advocate, produced a 101-page report two years ago detailing how different elements of the child welfare system had failed Harmony. Regarding Harmony's 2019 custody hearing, the report faulted the DCF attorney, saying they "did not present a strong legal case" about why Adam Montgomery should not have custody.

Mossaides declined to comment for this story.

Lichtenstein and Lamanna said the OCA's report just includes characterizations about what happened in the hearing.

"What actually was said, not somebody's interpretation on what was said, is what journalists and the public need to know," Lichtenstein said.

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