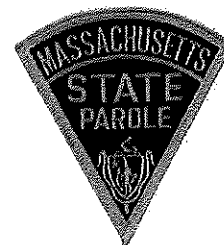


*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*  
**PAROLE BOARD**

*12 Mercer Road*  
*Natick, Massachusetts 01760*



**Maura T. Healey**  
*Governor*

**Kimberley Driscoll**  
*Lieutenant Governor*

**Terrence M. Reidy**  
*Secretary*

*Telephone: (508)-650-4500*  
*Facsimile: (508)-650-4599*

**Tina M. Hurley**  
*Chair*

**Lian Hogan**  
*Executive Director*

**RECORD OF DECISION**

**IN THE MATTER OF**

**DERRICK TYLER**

**W48332**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** October 24, 2024

**DATE OF DECISION:** February 6, 2025

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

**VOTE:** Parole is granted to an approved home plan (Interstate Compact) after a 9-month step-down to lower security.

**PROCEDURAL HISTORY:** On April 24, 1990, in Suffolk Superior Court, Derrick Tyler was convicted of first-degree murder in the death of Scott Gomes and sentenced to life in prison without the possibility of parole. Mr. Tyler 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 to 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, Mr. Tyler was re-sentenced to life with the possibility of parole after 15 years.

On October 24, 2024, Mr. Tyler appeared before the Board for an initial hearing. He was represented by Attorney Kelly Cusack. The Board's decision fully incorporates, by reference, the entirety of the recording of Mr. Tyler's October 24, 2024, hearing.

**STATEMENT OF THE CASE:**<sup>1</sup> On May 22, 1989, a group of young men attacked and stabbed Scott Gomes to death in Roxbury. The driver of a Suzuki Sidekick was flagged down by Derrick Tyler, who called out and asked for a ride to Dale Street. The driver agreed to bring Mr. Tyler (age 20) and several other men to Dale Street. Mr. Tyler rode in the front passenger seat. The driver stopped at Dale Street and Washington Street at Mr. Tyler's request. A man in the backseat yelled out, "There's Scottie!" All the men in the car, except for the driver, exited and started pursuing Mr. Gomes, who was talking to a man known as "Deek." Mr. Gomes ran from the group. The men were purportedly "flicking knives out," as they pursued him up Dale Street, in the direction of Washington Park. Mr. Tyler was identified as the individual leading the pursuit of Mr. Gomes with a knife in hand. Eventually, the assailants captured Mr. Gomes and stabbed him repeatedly before fleeing the area. Mr. Gomes sustained several stab wounds; notably, a stab wound to his chest, which pierced his heart. After the killing, the driver of the Suzuki identified Mr. Tyler in a photograph prior to trial. Other witnesses identified Mr. Tyler as one of the assailants. The identification procedures utilized were challenged at trial, both in Mr. Tyler's direct appeal and during post-conviction litigation. Mr. Tyler has asserted his innocence since his arrest.

**APPLICABLE STANDARD:** Parole 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." G. L. c. 127, § 130. The Board considers multiple factors in making its decision, including the incarcerated individual's institutional behavior; their participation in available work, education, and treatment programs during their incarceration; and whether the incarcerated individual's chances of recidivism could be reduced by participation in risk reduction programs. G. L. c. 127, § 130. The Board considers all relevant facts, including the nature of the underlying offense, the age of the incarcerated individual at the time of the offense, the entirety of the incarcerated individual's criminal record, the incarcerated individual's institutional record, the incarcerated individual's testimony at the hearing, and the views of the public expressed at the hearing and/or in written submission to the Board.

Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 to 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

---

<sup>1</sup> The Statement of the Case is derived from Commonwealth v. Tyler, 418 Mass. 143 (1994) and is not intended to be an exhaustive recitation of the facts. The Board acknowledges that Mr. Tyler has steadfastly maintained his innocence.

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. Tyler has been incarcerated for 35 years. He is currently 55 years of age. The Board considered factors concerning the emerging adult brain and especially the capacity for change. Mr. Tyler reported that, in 2009, he committed to improving himself and investing in his own self-development through reading. He has a significant disciplinary report (d-report) history while incarcerated, but he has not incurred any d-reports since 2022. He has completed various programs, including Violence Reduction, Alternatives to Violence, and Jericho Circle. Mr. Tyler has been employed for the past two years in Wood Shop. He reported he is working towards his Hi-Set. Mr. Tyler maintains his innocence but accepts responsibility for the criminal lifestyle he was living. He has family support and plans to live with his wife. The Board considered the re-entry plan of Deborah Goldfarb, LICSW. The Board encourages Mr. Tyler to continue to work on his education.

**SPECIAL CONDITIONS:** Release to Interstate Compact (Rhode Island); Report to assigned MA Parole Office on day of release; Waive work for two weeks; Electronic monitoring for 90 days; Supervise for drugs with testing in accordance with Agency policy; Supervise for liquor abstinence with testing in accordance with Agency policy; No contact or association with active gangs or affiliation; No contact with victim(s)' family; Must have mental health evaluation and follow recommendations; Must have mental health counseling for adjustment; Allow contact with [named] individuals.

*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 2/6/25