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Executive Office of Public Safety and Security

PAROLE BOARD

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Tina M. Hurley
Chair

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Executive Director

RECORD OF DECISION

IN THE MATTER OF

NICOLA COLAFELLA
W118366

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: September 5, 2024

DATE OF DECISION: December 10, 2024

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

VOTE: Parole is granted two weeks from the date of decision to a facility which will meet Mr. Colafella's medical and mental health needs.

PROCEDURAL HISTORY: On April 25, 2024, Nicola Colafella pleaded guilty to two counts of murder in the second degree, two counts of armed assault to murder, two counts of assault and battery with a dangerous weapon, and two counts of armed assault to murder. Mr. Colafella was sentenced to life in prison with the possibility of parole on the murder convictions, along with concurrent sentences of 19 to 20 years in state prison on the armed assault convictions and 9 to 10 years on the assault and battery with a dangerous weapon conviction. On September 5, 2024, Mr. Colafella appeared before the Board for an initial hearing. He was represented by Attorney Sean O'Neill. The Board's decision fully incorporates, by reference, the entire video recording of Mr. Colafella's September 5, 2024, hearing.

STATEMENT OF THE CASE: On June 14, 1990, in the Mission Hill section of Boston, 53-year-old Nicola Colafella shot four members of the Earley family, who were tenants in the building he owned. He also attacked them with a hatchet. Two members of the Earley family (Walter and Robert) were killed, and two family members survived with significant injuries. Mr. Colafella claims he confronted the Earley family with the hatchet and firearm due to their purported

¹ Board Member Coughlin was not present for the hearing, but reviewed the video recording of the hearing and the entirety of the file prior to vote.

harassment of him. Between 1990 and 2023, Mr. Colafella was continuously found incompetent to stand trial with the exception of a period of time between January 2018 and January 2020.

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 incarcerated individual'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 incarcerated individual'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 incarcerated individual at the time of the offense, the criminal record, the institutional record, the incarcerated individual's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board (if applicable).

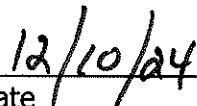
DECISION OF THE BOARD: This is Mr. Colafella's initial parole hearing. He pleaded guilty and was sentenced on these 1990 murders on April 25, 2024, due to prior court findings of incompetence. The Board finds that the murders were related to Mr. Colafella's mental health condition. Mr. Colafella is 87-years-old and has multiple health issues and cognitive deficits. While Mr. Colafella has only been incarcerated at the state prison since July, he was in custody at various facilities, including Bridgewater State Hospital, for most of the time since the murders. Mr. Colafella has been evaluated as low risk on the LSCMI risk assessment tool. The Board considered the neuropsychology report of Dr. William Rinn. Given Mr. Colafella's advanced age and medical conditions, the Board finds they significantly reduce his risk to re-offend. The Board concludes by unanimous decision that Mr. Colafella has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

Mr. Colafella's niece testified in favor of parole. A member of the victim's family testified in opposition to parole. Assistant District Attorney Montez Haywood also spoke in opposition to parole.

SPECIAL CONDITIONS: Waive work for medical issues; Curfew between 10pm and 6am at Parole Officer's discretion; Electronic monitoring at Parole Officer's discretion; Must take prescribed medication; Must be supervised for drugs, testing in accordance with Agency policy; Must be supervised for liquor abstinence, 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 schizophrenia; Must reside at a facility that will best meet his medical and mental health needs; Must sign all mandatory release of information and treatment forms.

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