

Information for families regarding Commonwealth vs. Mattis; SJC Decision

In 2024, the Supreme Judicial Court issued a decision which changed the sentence of incarcerated individuals who were convicted of first-degree murder and who were ages 18 through 20 years old at the time of the offense.

Prior to the change, an individual over the age of 18 but not yet 21 (**emerging adults**) could receive a sentence of life without the possibility of parole. Now, this sentence is unconstitutional, and emerging adults cannot receive this sentence.

In the case, **Commonwealth v. Mattis**, the Court identified four key characteristics of emerging adults ages 18 through 20 years old:

1. A lack of impulse control in emotionally charged situations.
2. A heightened tendency to engage in risk-taking behaviors in pursuit of rewards.
3. Increased susceptibility to peer influence.
4. Greater capacity for change.

When considering parole for an incarcerated individual convicted of murder who was an emerging adult at the time of the offense, the Parole Board takes into account these four key characteristics. The Board recognizes that emerging adults share more similarities with juveniles as it relates to these characteristics as opposed to older adults. This consideration ensures that those who were emerging adults at the time of their crime have a "meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation" as outlined in the Supreme Judicial Court decision.

Victims' Rights

As a loved one, you have rights throughout this new process. These include:

- The right to be informed about and notified of all parole events;
- To be informed of information regarding the defendant's parole eligibility and status;
- The right to submit input and/or provide oral testimony at the parole hearing;
- To be informed in advance of any release, transfer or escape from custody (current contact information required)

A Victim Service Coordinator (VSC) is available to assist you and your family through this process. Please contact the Victim Service Unit directly at **508-650-4543**.

Parole Hearing Process and SJC Mattis Decision Q &A

Is the offender automatically granted parole when he or she is eligible for parole?

No. Parole eligibility only allows the offender the opportunity for a parole hearing. The parole hearing may or may not result in a release of the offender to parole supervision. At the hearing, the Parole Board considers whether the offender should be released from imprisonment to complete the remainder of his/her sentence in the community or elsewhere. If parole is granted, the Parole Board will impose specific rules and conditions of behavior that the offender must abide by upon release.

What procedures does the Parole Board follow for these parole release hearings?

The offender is scheduled for a parole hearing before the full membership of the Parole Board (7 board members) no earlier than 60 days before the parole eligibility date. Please note the following:

- Life sentence parole hearings are open to the public.
- The Parole Board is required to notify the Attorney General, the District Attorney in whose jurisdiction the sentence was imposed, the Chief of Police in whose jurisdiction the crime was committed and the victim(s) or surviving family member(s).
- The Parole Board has the right to conduct security searches of all persons and their belongings when they come to a hearing. This search includes a body sweep with a handheld metal detector and inspection of belongings.
- For security and safety reasons, the Parole Board has the right to impose a limit on the number of people attending the parole hearing.
- Parole release is granted by a majority vote of the Parole Board.
- A decision regarding whether to release and offender on parole is not given the day of the hearing for cases involving life sentences.

What happens if the offender is denied parole release?

When the Parole Board votes to deny parole release, the members also vote when to conduct the next hearing. The Parole Board will set the review hearing anywhere for one to five years. You will be notified of any review hearing by phone and b

Are victims or their surviving family members allowed to testify at the hearing?

Yes. The Parole Board welcomes testimony from victim(s), surviving family member(s), and others. The Parole Board will also accept written, audio taped or videotaped input. All information presented to the Parole Board will be taken into consideration.

Is there anyone that victims or surviving family members should contact for more assistance?

Yes. For information, support and referrals, please contact the Victim Services Unit at **508-650-4543**. A Victim Service Coordinator will be available to assist victims and surviving family members.