

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

TERRANCE PABON
W96524

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **January 28, 2025**

DATE OF DECISION: **May 7, 2025**

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

VOTE: Parole is granted to a Long-Term Residential Program.

PROCEDURAL HISTORY: On May 25, 2010, following a jury trial in Suffolk Superior Court, Terrance Pabon was convicted of murder in the second degree for the death of Terrance Jacobs. He was sentenced to life in prison with the possibility of parole. Parole was denied following an initial hearing in 2023. On January 28, 2025, Terrance Pabon appeared before the Board for a review hearing. He was represented by Attorney Richard Goldman. The Board's decision fully incorporates by reference the entire video recording of Terrance Pabon's January 28, 2025, hearing.

STATEMENT OF THE CASE: On May 22, 2007, in Boston, 17-year-old Terrance Pabon and his co-defendants stabbed and killed 16-year-old Terrance Jacobs. Mr. Pabon was socializing with a group of friends near the intersection of Wilcock Street and Blue Hill Avenue in Dorchester. At some point in the evening, the group decided there would be a "one-on-one" fight. Arrangements were made to get 16-year-old Terrance Jacobs to Wilcock Street in order to "settle the score" for a stabbing that Mr. Jacobs had allegedly perpetrated on one of their friends several months

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

earlier. Mr. Jacobs arrived on Wilcock Street along with many others. The two groups became engaged in an argument that quickly escalated, and Mr. Jacobs was pushed. One of Mr. Jacob's friends brandished a firearm and fired multiple shots. The gun shots did not strike anyone, but the group dispersed. When Mr. Jacobs began running, Mr. Pabon and his group chased him and then stabbed him over 20 times before fleeing. An ambulance arrived and transported Mr. Jacobs to the hospital, where he died a short time later.

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 inmate'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 inmate'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 inmate at the time of the offense, the criminal record, the institutional record, the inmate'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).

In the context of an incarcerated individual convicted of first or second-degree murder, who was a juvenile at the time the offense was committed, the Board takes into consideration the attributes of youth that distinguish juvenile homicide offenders from similarly situated adult offenders. Consideration of these factors ensures that the parole candidate, who was a juvenile at the time they committed murder, has a meaningful opportunity to obtain release based on demonstrated maturity and rehabilitation. *Diatchenko v. District Attorney for the Suffolk District*, 466 Mass. 655, 674 (2013). See also *Commonwealth v. Okoro*, 471 Mass. 51 (2015). The factors considered by the Board include a juvenile's "lack of maturity and an underdeveloped sense of responsibility, leading to recklessness, impulsivity, and heedless risk-taking; vulnerability to negative influences and outside pressures, including from their family and peers; limited control over their own environment; lack of the ability to extricate themselves from horrific, crime-producing settings; and unique capacity to change as they grow older." *Diatchenko v. District Attorney for the Suffolk District*, 471 Mass. 12, 30 (2015). The Board also recognizes the incarcerated individual's right to be represented by counsel during their appearance before the Board. *Id.* at 20-24.

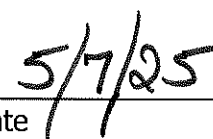
DECISION OF THE BOARD: Mr. Pabon is currently in minimum security. He was 17-years-old at the time of the offense. The Board reviewed the factors of juvenile brain development. He is low on the LSMCI risk assessment tool. He has engaged in rehabilitative programming. He has participated in the NEADS program and Restorative Justice. The Board notes the reports of Dr. Herzog and Social Worker Sarah Waldron. He has a minimum history of disciplinary reports. Three individuals spoke in support of parole. Suffolk County Assistant District Attorney Charles Marshall spoke in opposition to parole. The Board concludes by unanimous decision that Terrence Pabon has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Long-Term Residential Program; Waive work for 2 weeks; Electronic monitoring for 6 months; 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; No contact with victim(s)' family; Must have mental health counseling for adjustment.

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