



The Commonwealth of Massachusetts
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AMENDED RECORD OF DECISION

IN THE MATTER OF

TERRELL NOLEN
W51689

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: December 16, 2025

DATE OF DECISION: July 27, 2026

PARTICIPATING BOARD MEMBERS: Edith J. Alexander, Dr. Charlene Bonner, Sarah B. Coughlin, Angelo Gomez Jr., James Kelcourse, Rafael Ortiz

AMENDED VOTE: Parole is granted to a Long-Term Residential Program 2 weeks after issuance of decision.¹

PROCEDURAL HISTORY: On December 20, 1991, following a jury trial in Suffolk Superior Court, Terrell Nolen was convicted of murder in the first-degree for the death of Claude Stewart. He was sentenced to life in prison without the possibility of parole.

Mr. Nolen 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 through 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 regarding his first-degree murder conviction, Mr. Nolen was re-sentenced to life with the possibility of parole after 15 years.

On December 16, 2025, Mr. Nolen appeared before the Board for an initial hearing. He was represented by Attorney Stacey Marmor. The Board's decision fully incorporates by reference the entire video recording of Mr. Nolen's December 16, 2025, hearing.

STATEMENT OF THE CASE: On May 31, 1990, 20-year-old Terrell Nolen and his co-defendants were involved in the shooting death of 29-year-old Claude Stewart in Boston. Mr. Nolen was one

¹ This is an amendment to the Parole Board's decision dated March 18, 2026, in which the Board imposed a condition that Mr. Nolen serve six months in minimum security prior to his release.

of three armed men traveling in a vehicle when they saw Mr. Stewart on a street corner. Mr. Nolen identified Mr. Stewart by saying, "There he is. There he goes right there." The three men left the vehicle, and a witness heard the sound of shots being fired shortly thereafter. The three men returned to the vehicle, stating they were not certain whether they had hit the victim. Mr. Stewart was killed by a bullet from a nine-millimeter handgun.

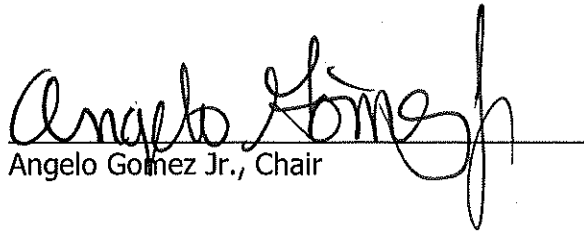
APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the Board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain 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.

Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 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 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. Nolen has been incarcerated for 36 years. He has maintained his innocence. He has been involved in mentoring, while at MCI – Norfolk. He has been addressing his substance misuse issues. The Board reviewed Dr. Guidry's forensic evaluation and her opinion of Mr. Nolen being low risk for violence and recidivism. Mr. Nolen is also low risk on the Department of Correction's assessment. He has engaged in programming, including programs prior to the Mattis decision. The Board considered testimony in support of parole from Mr. Nolen's family members, the Director of the Innocence Program at CPCS, and a social worker. The Board considered the testimony of Mr. Stewart's sister. Assistant District Attorney Montez Haywood, Suffolk County, was present at the hearing but did not provide testimony. The Board concludes by unanimous decision that Terrell Nolen has demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.

SPECIAL CONDITIONS: Waive work for 2 weeks or program; Must be home between 10 PM and 6 AM or at Parole Officer's discretion; 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; Long Term Residential Program - Gavin House preferred; AA at least 3 times per week.

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.


Angelo Gomez Jr., Chair

July 27, 2026
Date