



The Commonwealth of Massachusetts  
Executive Office of Public Safety



PAROLE BOARD

12 Mercer Road  
Natick, Massachusetts 01760

Telephone # (508) 650-4500  
Facsimile # (508) 650-4599

Deval L. Patrick  
Governor

Timothy P. Murray  
Lieutenant Governor

Mary Elizabeth Heffernan  
Secretary

Josh Wall  
Chairman

**RECORD OF DECISION**

**IN THE MATTER OF**

**JAMES PEARSON**

**W50677**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** April 19, 2011

**DATE OF DECISION:** March 28, 2012

**PARTICIPATING BOARD MEMBERS:** Cesar Archilla, John Bocon, Dr. Charlene Bonner, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

**DECISION OF THE BOARD:** Parole is denied, with a review in 3 years. The decision is unanimous.

**I. STATEMENT OF THE CASE**

James Pearson, acting with joint venturers, took the lead role in murdering Wallace Lee, age 30, in Yarmouth on September 4, 1990. Pearson was 18 years old. Pearson had an ongoing conflict with a group of people that included Mr. Lee. Pearson consumed alcohol, marijuana, and Percocets on the day of the murder. Shortly before midnight, he and two friends broke into a residence seeking to pursue an ongoing disagreement. Mr. Lee was one of the people in the residence. Pearson attacked the victim, punching him at first and then stabbing him five times with a knife. The two most serious wounds were in the chest and the abdomen. Pearson was arrested on September 9, 1990 and pleaded guilty to second-degree murder on June 3, 1991.

This is Pearson's second parole hearing. He was denied parole in January, 2006 with a review in five years. He is 39 years old.

Pearson has multiple offenses as a juvenile, mostly involving breaking and entering at night and larceny. As an adult, prior to the murder, he was convicted of three separate violent crimes: two incidents of assault and battery with a dangerous weapon and one assault and battery on a police officer.

Pearson's institutional behavior in prison is very poor. He has 30 disciplinary reports, including at least seven serious infractions. Most concerning, he assaulted a corrections officer in 1999, an incident for which he was convicted and sentence to serve an additional year from and after his life sentence. Pearson and another inmate beat the officer to the point of unconsciousness. He was sent to the DDU for 48 months. In 1995, Pearson acted with others in beating, choking and stabbing another inmate. He received 30 months in DDU. He has three minor disciplinary reports since 1999.

## **II. PAROLE HEARING ON APRIL 19, 2011**

At the hearing, Pearson showed clear progress towards rehabilitation. He described his plan to reduce his criminal thinking and behavior through program participation. He admitted that he had no concern for the victim: "I didn't care whether he lived or died." He stated that anger and hopelessness led to his substance abuse, and that his substance abuse led to his violence. He stated that his program participation began in earnest in 2004 and 2005. He is currently married to Michelle Pearson, a woman he met in 2004.

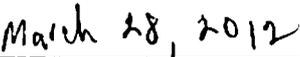
Pearson's wife, niece, father, and sister spoke in support of parole. They described noticeable improvements in behavior. They see changes that began after his DDU placement, and specifically cite a reduced level of anger in his reactions.

## **III. DECISION**

James Pearson broke into a home seeking a confrontation and murdered an unsuspecting man by beating and stabbing him. He entered the prison system as an angry young man and behaved poorly for 13 years. He committed an especially violent offense in 1999 by beating a corrections officer. Since 2005, Pearson has shown considerable progress in reducing anger, learning about his criminal thinking, and behaving more appropriately in the prison setting. Pearson displayed the results of his efforts during his hearing. He is on a positive path. Rehabilitation requires time, however, and Pearson nearly wasted the first 13 years of his incarceration. Because his improved thinking and behavior have been evident for only a few years, Pearson has not yet earned parole. He is on the right path, and his gains appear solid and genuine. More time is needed. His release is not currently compatible with the welfare of society because violent prison conduct is not far enough in the past. Parole is denied. In recognition of Pearson's recent efforts and accomplishments, the review period is shortened to three years.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing.*

  
\_\_\_\_\_  
Josh Wall, Chairman

  
\_\_\_\_\_  
Date