



The Commonwealth of Massachusetts  
Executive Office of Public Safety



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**JAMES SWEENEY**

**W61396**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** May 24, 2011

**DATE OF DECISION:** May 9, 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 five years. The decision is unanimous.

**I. STATEMENT OF THE CASE**

James Sweeney shot and killed his father, Arthur Sweeney, in Malden on April 19, 1996. James Sweeney was 42 years old and his father was 74 years old. The inmate was living with his father in 1996; he was addicted to crack cocaine and alcohol. On the day of the crime, Sweeney smoked crack and drank beer for most of the day and evening. He returned to his father's home sometime after 10:00 p.m. For reasons that the inmate does not or cannot explain, he shot his father once in the head when the victim was sleeping on the living room couch. Sweeney does not describe a motive or triggering event. He told investigators that he saw his father's head explode as a result of the shot. He used a .22 caliber rifle that belonged to his father.

Sweeney pleaded guilty to second-degree murder on October 7, 1996. This is Sweeney's first incarceration and his first parole hearing. He has a minor criminal record that began at age 40 and includes larceny and shoplifting charges.

## **II. PAROLE HEARING ON MAY 24, 2011**

James Sweeney described a life ruined by drugs and alcohol. He graduated from high school and worked as an electrician. He owned his own business for 13 years, married in 1980, and had one child. He divorced in 1992. He had an alcohol problem by age 18, and started using cocaine regularly in 1993. He said that after the divorce he "spiraled out of control; I didn't care about anything; crack took over my life."

Sweeney moved in with his father in 1995. He said he could not hold onto a job because of his drug use. Sweeney said that his father "let me live with him because of love, and all I did was lie and steal; from 10:00 a.m. to 10:00 p.m., I was drinking and doing drugs every day." On the day of the crime, Sweeney stole his father's checkbook and cashed a check; he used the money for drugs. He was at a friend's house by 10:00 a.m. getting high. He went to Lynn three times during the day to purchase crack cocaine. Sweeney said that when he got home sometime after 10:00 p.m., his father "gave me that look of disgust."

Sweeney cannot explain why he shot his father. Board Member Dr. Charlene Bonner suggested that projection may be part of the motive: "perhaps the victim projected what you thought about yourself; your father's look of disappointment expressed what you felt about yourself." After the murder, the inmate drove to Lynn and purchased more crack.

The inmate has no disciplinary reports during his 15 years of incarceration. Good conduct in prison is often associated with inmates who have committed a domestic violence murder. His steady program participation began in 2007; he reported that he has attended AA throughout his incarceration. He has worked in prison industries for 12 years and currently works in the sewing shop at MCI-Norfolk. He has been at MCI-Norfolk for the last 14 years.

Sweeney stated that no one visits him in prison. No supporters attended the hearing. Middlesex Assistant District Attorney Tasnin Chowdhury spoke in opposition.

## **III. DECISION**

The four goals of sentencing have not been met. The length of incarceration is not sufficient to accomplish punishment, deterrence, incapacitation, or rehabilitation. James Sweeney has no explanation for this murder and no insight to explain this patricide. He has considerable anger, which he needs to address. He has had no mental health counseling and has no psychological insight into his violent behavior. He has not yet reached a point in his program participation that he can identify the causes of his criminal thinking and antisocial behavior. He presents, therefore, an undue risk for re-offense if released and his parole would not be compatible with the welfare of society. Accordingly, parole is denied and a review will be in five years.

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

*Josh Wall*

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Josh Wall, Chairman

*May 9, 2012*

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Date