

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

DENNIS PAUL

W33970

TYPE OF HEARING: Review Hearing

DATE OF HEARING: September 21, 2021

DATE OF DECISION: April 27, 2022

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Colette Santa

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of offense, criminal record, institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing or in written submissions to the Board, we conclude that the inmate is not a suitable candidate for parole. Parole is denied with a review scheduled in two years from the date of the hearing.¹

I. STATEMENT OF THE CASE

On September 11, 1974, in Plymouth Superior Court, Dennis Paul pleaded guilty to the second-degree murder of fellow inmate Edward Rastellini at Bridgewater State Hospital. He was sentenced to life in prison with the possibility of parole. Mr. Rastellini was stabbed to death with a sharpened butter knife on November 6, 1973. The autopsy revealed the cause of death to be seven stab wounds, which penetrated Mr. Rastellini's chest wall. Mr. Paul (age 20) and his co-defendants believed Mr. Rastellini to be an informant who gave officials information about their plans to escape the institution. Mr. Paul pleaded guilty to the murder and testified against his co-defendants in the case.

¹ Two Board Members voted to parole Mr. Paul to a Long-Term Residential Program.

At the time this sentence was imposed, Mr. Paul was already serving a 15 to 20 year sentence for manslaughter, a 15 to 20 year sentence for armed robbery, a 5 to 10 year sentence for armed robbery, and a 3 to 5 year sentence for unlawfully carrying a firearm. The sentences were imposed on February 6, 1973 and run concurrently to his life sentence. These offenses resulted from an armed robbery of a Radio Shack store in Revere, after which Mr. Paul was involved in a car chase. During the chase, Mr. Paul crashed into another vehicle, killing a female passenger, Mae Molander, and injuring five others. He had been awaiting trial on firearm and motor vehicle charges at the time he committed these offenses.

II. PAROLE HEARING ON SEPTEMBER 21, 2021

Dennis Paul, now 69-years-old, appeared before the Board for a review hearing on September 21, 2021. He was not represented by counsel. This was Mr. Paul's ninth appearance before the Board since 1989. Most recently, Mr. Paul was denied parole after his last hearing in 2012. He postponed his 2017 hearing. In his opening statement, Mr. Paul took responsibility for his crimes and expressed his remorse. He also discussed his progress in addressing his substance abuse issues, stating that he "has it under control." Although Mr. Paul participated in both substance abuse programming and counseling, he told the Board that the last time he used drugs was less than two years ago. However, he explained that he "does not enjoy it as much as [he did before.]" With respect to his drug use within the institution, Mr. Paul told the Board that he "got away with a lot." Although he had periods of sobriety, he would sometimes "slip up." Mr. Paul acknowledged that substance abuse contributed to his criminal behavior.

When questioned as to whether he could refrain from committing crimes in the community for the purpose of obtaining drugs, Mr. Paul indicated that he "[he] get[s] it." Further, he explained that he has no interest in violent behavior or associating with others who have exhibited violence. Board Members nonetheless expressed their concern as to his ability to maintain sobriety in the community given his struggle to remain sober within the institution. Mr. Paul acknowledged that he is unsure of what triggers him to relapse. The Board commended Mr. Paul for his recent rehabilitative work, including program participation and class completion since his last hearing in 2012.

The Board considered testimony, and a letter of opposition, from Plymouth County Assistant District Attorney Keara Kelley.

III. DECISION

The Board is of the opinion that Dennis Paul has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Paul is serving a life sentence for the 1973 stabbing death of Edward Rastellini, who was an inmate at Bridgewater State Hospital. At the time of the offense, he was serving a 15 - 20 year sentence for manslaughter. Although he has made some progress, he struggles to maintain his sobriety and, by his own admission, he still experiences urges to use substances. This was evidenced by his January 2020 disciplinary report. Mr. Paul should continue engaging in substance abuse programming to assist him in recovery and maintaining his sobriety.


The applicable standard used by the Board to assess a candidate for parole is: "Parole Board Members shall only grant a parole permit if they are of the opinion that there is a

reasonable probability that, if such offender is released, the offender will live and remain at liberty without violating the law and that release is not incompatible with the welfare of

society." 120 C.M.R. 300.04. In forming this opinion, the Board has taken into consideration Mr. Paul's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Paul's risk of recidivism. After applying this standard to the circumstances of Mr. Paul's case, the Board is of the opinion that Dennis Paul is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Paul's next appearance before the Board will take place in two years from the date of this hearing. During the interim, the Board encourages Mr. Paul to continue working toward his full rehabilitation.

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.

Pamela Murphy p.p. 
Pamela Murphy, General Counsel

4/27/22
Date