

The Commonwealth of Massachusetts

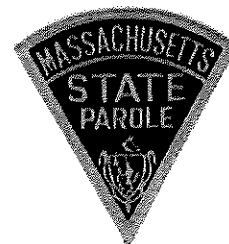
Executive Office of Public Safety and Security

PAROLE BOARD

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AMENDED RECORD OF DECISION

IN THE MATTER OF

**James Freeman III
W66195**

TYPE OF HEARING: Initial Hearing
DATE OF HEARING: August 14, 2025
DATE OF DECISION: September 21, 2026

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

AMENDED VOTE¹: Place on Next Available List.

PROCEDURAL HISTORY: On March 12, 1999, following a jury trial in Worcester County Superior Court, James Freeman was convicted of murder in the first-degree for the death of Teofila Matos (Ledesma). He was sentenced to life in prison without the possibility of parole. On that same date, he was also convicted of armed assault with intent to murder and sentenced to a concurrent term of 18 to 20 years, two counts of armed assault in a dwelling and sentenced to concurrent terms of 20 to 30 years, assault and battery upon a person 65 years or older by means of a dangerous weapon and sentenced to a concurrent term of

¹ This is an amendment to the Parole Board's decision dated January 14, 2026, in which the Board voted to deny parole with a review in two years from the date of the hearing. Mr. Freeman requested the Board reconsider this decision, and place him on the next available list for a hearing. Three Board Members agreed with Mr. Freeman's request, and three Board Members denied the request. Where the Board was evenly split on the setback period, the earlier of the setback periods will be imposed. Board members who agreed to Mr. Freeman's request found that Mr. Freeman had addressed the significant concern of the Board by disassociating from the STG. These Board members also noted Mr. Freeman has continued to do well at his current level of supervision. The Board will reassess his suitability for parole at the next hearing. This amended decision also removes the special conditions of parole which were inadvertently and erroneously included in the earlier amended decision.

7 to 10 years, and armed burglary and sentenced to a concurrent term of 20 to 30 years. He was found not guilty of one count of armed robbery.

Mr. Freeman 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 eighteen through twenty 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. Freeman was re-sentenced to life with the possibility of parole after 15 years.

On August 14, 2025, Mr. Freeman appeared before the Board for an initial hearing. He was represented by Attorney John Apruzzese. The Board's decision fully incorporates by reference the entire video recording of Mr. Freeman's August 14, 2025, hearing.

STATEMENT OF THE CASE:² On the evening of October 4, 1994, 19-year-old James Freeman shot and killed 50-year-old Teofila Matos (Ledesma) in the kitchen of her apartment in Worcester. Her husband, who was also present, was shot in the left eye area but survived. Earlier that day, Mr. Freeman met up with several men, with whom he discussed committing a robbery in order to obtain money and drugs. Two of the men went to get masks to use in the robbery. Mr. Freeman went to his girlfriend's home and returned with two guns, which he handed to his co-defendants. Before reaching the victim's home, the men donned their masks. At some point, Mr. Freeman took back one of the guns. The men broke into the downstairs apartment by kicking in the front door. After searching the apartment and finding nothing, the men went to the second-floor apartment where Ms. Matos and her husband resided. Mr. Freeman held both victims at gunpoint in the kitchen, while telling the others what to do and where to search. Mr. Freeman then shot both victims in the head. Mr. Freeman was later reported to have made statements admitting responsibility for the shootings.

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.

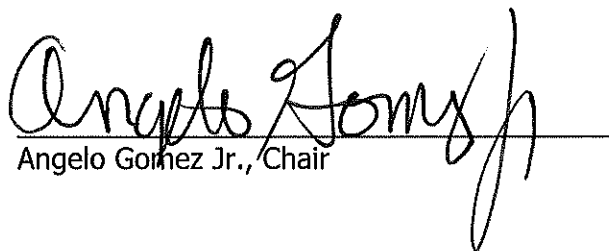
Where a parole candidate was convicted of first-degree murder for a crime committed when he was ages 18 through 20 years old, the Board considers the "unique aspects" of emerging adulthood that distinguish emerging adult offenders from older offenders. Commonwealth v. Mattis, 493 Mass. 216, 238 (2024). 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:

² Taken from Commonwealth v. James Freeman, 442 Mass. 779 (2004)

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. Freeman made his first appearance before the Board after the Supreme Judicial Court's Mattis decision. Mr. Freeman began engaging in rehabilitative programming over ten years ago. He has been steadily employed. The Board considered the underlying facts and circumstances of the crime. The majority of the Board has concerns regarding Mr. Freeman's insight and accountability into his behaviors as evidenced by his assertions that the murders were accidental despite two persons being shot in their heads. The Board also considered Mr. Freeman's significant criminal history which predated these murders. The Board considered the forensic evaluation of Dr. Brown. The Board also considered the testimony of Assistant District Attorney Anne Kennedy of the Worcester District Attorney's Office in opposition to parole. The Board concludes that James Freeman has not demonstrated a level of rehabilitation that would make his release compatible with the welfare of society.³

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

September 17, 2026
Date

³ On August 28, 2026, the Board's vote reads: Since time of vote, Mr. Freeman has addressed a significant concern of the Board by disassociation from STG, continues to do well at currently level of supervision. The Board will re-assess suitability for parole at the hearing.