



*The Commonwealth of Massachusetts
Executive Office of Public Safety and Security*



PAROLE BOARD

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RECORD OF DECISION

IN THE MATTER OF

**JAMES JOHNSON
W35941**

TYPE OF HEARING: Review Hearing

DATE OF HEARING: November 5, 2020

DATE OF DECISION: April 15, 2021

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley

STATEMENT OF THE CASE: On July 24, 1975, in Suffolk Superior Court, James Johnson pleaded guilty to two second degree murders for which he received two concurrent life sentences. He also pleaded guilty to the following related crimes: armed robbery (6-10 years), possession of dangerous weapon (3-5 years), assault by means of firearm (3-5 years), and armed assault with intent to rob (6-10 years). These sentences were to run concurrent with each other, but consecutive to the life sentences.

Mr. Johnson appeared before the Parole Board for a review hearing on November 5, 2020 and was not represented by counsel. This was Mr. Johnson's third appearance before the Board since his revocation hearing in 2010. Mr. Johnson was previously released on parole in 2005, but was revoked due to parole violations. The entire video recording of Mr. Johnson's November 5, 2020 hearing is fully incorporated by reference to the Board's decision.

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 by unanimous vote that the inmate is a suitable candidate for parole. Reserve to approved home plan. On July 24, 1975, in Suffolk Superior Court, Mr. Johnson pleaded guilty to two counts of second-degree murder. Gabriel Peters and Joseph Bardsley were murdered on July 8, 1974 by Mr. Johnson and his co-defendants. Mr. Johnson has been in custody for approximately 10 years for violating the conditions of parole. Mr. Johnson since his last hearing has continued to invest

in his rehabilitation and maintained a positive adjustment. Re-parole is not inconsistent with the welfare of society.

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." In forming this opinion, the Board has taken into consideration Mr. Johnson'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. Johnson's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Johnson's case, the Board is of the unanimous opinion that Mr. Johnson is rehabilitated and merits parole at this time.

Special Conditions: Reserve to approved home plan; Waive work for age/retirement; Must be at home between 10 p.m. and 6 a.m.; ELMO-electronic monitoring at P.O. discretion; 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 substance abuse evaluation, adhere to plan; Must have mental health counseling for adjustment/transition.

IMPORTANT NOTICE: The above decision is an abbreviated administrative decision issued in an effort to render an expedited resolution in response to the COVID-19 pandemic. Mr. Johnson, through counsel, has waived his right to a full administrative decision.

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

Pamela Murphy (SMB)
Pamela Murphy, General Counsel

4/15/21
Date