



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 OSBORNE
W32377

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **October 20, 2020**

DATE OF DECISION: **March 9, 2021**

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

STATEMENT OF THE CASE: On June 26, 1969, in Suffolk Superior Court, James Osborne pleaded guilty to the second-degree murder of Josephine Campagna. Mr. Osborne was also convicted of assault with intent to commit rape, as well as armed robbery. A sentence of life in prison, with the possibility of parole, was imposed on Mr. Osborne for the murder of Ms. Campagna. Mr. Osborne was also sentenced to a term of life imprisonment for his conviction of assault with intent to rape. For his conviction of armed robbery, Mr. Osborne was sentenced to a term of imprisonment of not more than 25 years and not less than 15 years. Mr. Osborne's life sentence for his conviction of assault with intent to rape was ordered to run consecutively to his life sentence for the murder of Ms. Campagna. Mr. Osborne's sentence for his conviction of armed robbery was ordered to run concurrently with his consecutive life sentence for assault with intent to rape.¹

Mr. Osborne appeared before the Parole Board for a review hearing on October 20, 2020 and was represented by Boston College Law students Stephen Milan and Gillian Veralli. This was Mr. Osborne's fifth appearance before the Board having been denied in 2001, 2006, 2011, and 2015. The entire video recording of Mr. Osborne's October 20, 2020 hearing is fully incorporated by reference to the Board's decision.

¹ On January 19, 2021, the Supreme Judicial Court in William Dinkins & Another v. Massachusetts Parole Board, 486 Mass. 605 (2021) invalidated 120 Code Mass. Regs. § 200.08(3)(c) and held that the Board must aggregate the parole ineligibility period of a life sentence with the parole ineligibility period of consecutive sentences for purposes of determining a single parole ineligibility date. In accordance with the SJC ruling, Mr. Osborne's parole eligibility was recalculated in order to determine a single parole eligibility date.

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 opinion that the inmate is a suitable candidate for parole. Upon clearance by the Suffolk County District Attorney's office, reserve Interstate Compact-New Hampshire. Mr. Osborne has served 56 years for the murder of 56-year-old Josephine Campagna in 1969. During this commitment he has successfully completed the Sex Offender Treatment program, several phases of Alternatives to Violence, Path to Freedom, Cognitive Skills and Countdown to Freedom. His last serious disciplinary infraction occurred in 1976. Mr. Osborne appears to have benefited from participation in all recommended treatment and programming. In addition, he has had a sponsor for seven years and has a solid support network. Release meets the legal standard.

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. Osborne'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. Osborne's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Osborne's case, the Board is of the opinion that Mr. Osborne is rehabilitated and merits parole at this time.

Special Conditions: Upon clearance by the Suffolk County District Attorney's office, reserve to an approved home plan via Interstate Compact- New Hampshire; Waive work for retirement/age; Must be at home between 10 p.m. and 6 a.m.; ELMO-electronic monitoring at PO's 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 victims; No contact with children under the age of 18 without the consent of the P.O.; AA/NA at least 3 times/week; Mandatory adhere to Sex "A" conditions.

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. Osborne, 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, General Counsel


Date