



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

**PAROLE BOARD**

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*Acting Executive Director*

**RECORD OF DECISION**

**IN THE MATTER OF**

**James Wahl**  
**W50475**

**TYPE OF HEARING:**      **Review Hearing**

**DATE OF HEARING:**      **September 19, 2023**

**DATE OF DECISION:**      **December 14, 2023**

**PARTICIPATING BOARD MEMBERS:** Tina M. Hurley, Dr. Charlene Bonner, Tonomey Coleman, James Kelcourse.

**STATEMENT OF THE CASE:** On May 2, 1991, in Suffolk Superior Court, James Wahl pled guilty to the second degree murder of 23 year old James DeRosa. Mr. Wahl was sentenced to life in prison with the possibility of parole. On that same date, he pled guilty and received concurrent sentences of 22 years to 32 years for armed robbery and 3 years to 5 years for carrying a dangerous weapon.

On Friday, May 11, 1990, at approximately 10:30pm, Boston Police responded to a residence on Columbus Avenue to answer a call of shots fired. Upon arrival, police found James DeRosa lying face up with his head in the lap of his friend and bleeding from the back of his head. Earlier, James Wahl (22 years old) and an associate robbed Mr. DeRosa of 10 pounds of marijuana in Mr. DeRosa's basement apartment. The associate held a gun to Mr. DeRosa and his friend while Mr. Wahl filled a duffel bag with marijuana. Mr. Wahl and his associate fled the apartment and proceeded down an alley with Mr. DeRosa in pursuit. The associate got into a car while Mr. DeRosa and Mr. Wahl struggled outside the vehicle. During the altercation, Mr. Wahl shot Mr. DeRosa in the back of the head. Mr. Wahl then got into the car and sped away. James DeRosa died as a result of the gunshot wound inflicted by Mr. Wahl.

**PAROLE HEARING:** James Wahl appeared before the Parole Board on September 19, 2023, and was represented by Attorney John Rull. Mr. Wahl had his initial hearing in 2006 at which time he was granted parole. He was returned to custody in 2012. Since his return to custody, Mr. Wahl was before the Board for review hearings in 2014 and 2019 and was denied parole

both times. The entire video recording of Mr. Wahl's September 19, 2023 hearing is fully incorporated by reference in the Board's decision.

**DECISION OF THE BOARD:** 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.

After careful consideration of all the relevant facts, including the nature of the underlying offense, the age of the inmate at the time of 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 or in written submissions to the Board, we conclude by unanimous vote that the inmate is not a suitable candidate for parole. The Board will review in 3 years.

In forming this opinion, the Board has taken into consideration Mr. Wahl'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. Wahl's risk of recidivism. After applying this standard to the circumstances of Mr. Wahl's case, the Board is of the unanimous opinion that James Wahl is not rehabilitated and, therefore, does not merit parole at this time.

Mr. Wahl was released on parole supervision on February 22, 2007 to Interstate Compact -- Rhode Island. He was returned to custody on February 24, 2012 for a series of parole violations. In addition, Mr. Wahl was investigated for arson and on January 7, 2014, in the United States District Court of Rhode Island, he was sentenced to eighteen months and then three years of supervised probation for conspiracy to commit wire fraud. The sentence was served concurrent with his life sentence. Mr. Wahl has remained in custody since 2012 and while he has engaged in many rehabilitative programs, the Board remains concerned that not much has changed with regards to his criminal thinking. Mr. Wahl admitted to the Board that while on parole he engaged in a criminal conspiracy in relation to his business ventures. On April 5, 2023, he was convicted of three counts of delivering articles to a prisoner and received a one-year sentence to be served concurrent with his life sentence. Mr. Wahl admitted to conspiring with others, including enlisting his niece, to introduce drugs and other contraband into the facility. He stated he had engaged in this conspiracy for over a year before being caught. Mr. Wahl provided an explanation as to the precipitants to his criminal conduct that lacked accountability, blamed others and circumstances that he felt mitigates his behavior. Mr. Wahl's continued pattern of criminal thinking and conduct remains a concern for the Board. The Board considered the forensic evaluation by Dr. DiCataldo in addition to the testimony of three people who spoke in support of his parole and the Assistant District Attorney from Suffolk County who spoke in opposition.

*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.*

  
Tina M. Hurley, Chair

12/14/23  
Date