

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Thomas A. Turco, III
Secretary

Telephone # (508) 650-4500
Facsimile # (508) 650-4599

Gloriann Moroney
Chair

Kevin Keefe
Executive Director

DECISION

IN THE MATTER OF

JAMIE ROSA

W36334

TYPE OF HEARING: Review Hearing

DATE OF HEARING: June 11, 2019

DATE OF DECISION: March 3, 2020

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, 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 the 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. Parole is granted to an approved home plan, but not before six months in lower security and subject to special conditions.

I. STATEMENT OF THE CASE

On August 16, 1977, in Suffolk Superior Court, Jamie Rosa pled guilty to the second degree murder of Ralph Heaney and was sentenced to life in prison with the possibility of parole. At the time of Mr. Heaney's murder, Mr. Rosa was 18-years-old. In addition, on December 19, 1977, in Norfolk Superior Court, Mr. Rosa was found guilty of assault with intent to rob, armed robbery, and assault with intent to murder. He received a 5 to 7 year sentence for each charge.¹ Mr. Rosa received those sentences for his role in violent robberies committed that same evening in Brookline, following the murder of Mr. Heaney.

¹ All other sentences have expired. Mr. Rosa is only serving his life sentence.

On March 31, 1977, at approximately 9:30 p.m., Mr. Rosa, his two co-defendants, Johnny Colon and Tony Colon (no relation), and a fourth unidentified individual, were sitting in Mr. Rosa's car on Parker Street drinking beer. At some point, the group decided to go to the Fenway neighborhood of Boston for the purpose of committing a robbery. When they arrived, Johnny Colon remained in the car. Mr. Rosa, Tony Colon, and the other unidentified individual entered the Fenway neighborhood and chose Mr. Heaney as their victim. Mr. Rosa held a knife to Mr. Heaney's throat and demanded money. Mr. Heaney fell to his knees, said "I only have a dollar," and pleaded with his attackers not to kill him. Sometime later, Mr. Rosa stabbed him to death. Later that night, after dropping off the fourth person, Mr. Rosa and his two co-defendants drove to Brookline and committed additional violent robberies.

II. PAROLE HEARING ON JUNE 11, 2019

Jamie Rosa, now 60-years-old, appeared before the Parole Board on June 11, 2019, for a review hearing and was represented by Attorney John Rull. Mr. Rosa was paroled in 1992 from his life sentence to his consecutive sentences and, in 1994, he was paroled to the community. In 2002, Mr. Rosa was returned on a parole violation warrant. In 2004, he was re-paroled, but his parole was revoked again in 2007. He was then denied parole after review hearings in 2008, 2013, and 2016. In his opening statement to the Board, Mr. Rosa took full responsibility for the murder of Mr. Heaney. He also apologized to the Heaney family, stating that he was "truly ashamed and sorry" and admitting his "crime was inexcusable."

The Board questioned Mr. Rosa about his relationship with his first wife and the (two) incidents leading to his previous revocations. Mr. Rosa discussed the financial strain placed on his first marriage and admitted to swinging a closed fist at his wife (multiple times), resulting in his 2002 revocation. During his second parole supervision, Mr. Rosa encountered problems with alcohol abuse and misconduct, resulting in his 2007 revocation. Mr. Rosa also admitted to being dishonest with his parole officer during that time period. When Board Members expressed their concern about his honesty, Mr. Rosa stated, "My mistake was that I didn't trust my PO (Parole Officer)." He assured the Board that "today, I know how to reach out to someone." Mr. Rosa also acknowledged his lack of candor at his last review hearings, admitting shame in what he had done. At this hearing, Mr. Rosa took full responsibility for the underlying crime, stating, "If I wasn't carrying the knife, it wouldn't have happened."

Since his most recent return to custody, Mr. Rosa maintains that his commitment to sobriety has resulted in a change. Through his completion of several rehabilitative programs, he no longer denies being an alcoholic. Since his last hearing in 2016, he has completed 14 additional programs, including Criminal Addictive Thinking, Anger Management, Cognitive Skills Workshop, and Cognitive Awareness. He is presently participating in AA, AA 12-steps, and Mental Health Counseling. Mr. Rosa reports that he works in the laundry department and is involved in many church programs. Mr. Rosa spoke a great deal about his spirituality, informing the Board that he met his current wife through his church group. He married her while incarcerated. If released, Mr. Rosa plans to utilize a strong support system that includes his wife and members of his church, as well as his place of employment.

Mr. Rosa's wife, brother, deacon, and pastor testified in support of parole. The Board also considered letters of support. Suffolk County Assistant District Attorney Charles Bartoloni submitted a letter, indicating the Parole Board to be in the best position to determine parole suitability. Boston Police Commissioner William G. Gross submitted a letter of opposition.

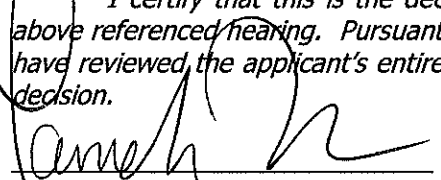
III. DECISION

The Board is of the opinion that Mr. Rosa has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Rosa has been in custody 12 years since violating parole. Since his last hearing, he has engaged in numerous programs coupled with a positive deportment.

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. Rosa's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Rosa's risk of recidivism. After applying this standard to Mr. Rosa's case, the Board is of the unanimous opinion that Jamie Rosa merits parole at this time. Parole is granted to an approved home plan, but not before six months in lower security and subject to special conditions.

SPECIAL CONDITIONS: Approve home plan before release; Waive work for two weeks; Must be at home between 10:00 p.m. and 6:00 a.m. or Parole Officer's discretion; Electronic monitoring at Parole Officer'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; Mental Health Counseling for adjustment/transition; AA/NA at least 3 times/week; Mandatory obtain sponsor.

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, General Counsel

3/3/2020
Date