



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

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

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

Josh Wall
Chairman

DECISION

IN THE MATTER OF

ADRIAN JESSAMY

W52137

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 7, 2011

DATE OF DECISION: August 30, 2012

PARTICIPATING BOARD MEMBERS: Cesar Archilla, John Bocon, Dr. Charlene Bonner, Ina Howard-Hogan, Roger Michel, Lucy Soto-Abbe, Josh Wall

DECISION OF THE BOARD: Parole is denied with a review in 5 years. The decision is unanimous.

I. STATEMENT OF THE CASE

Adrian Jessamy participated with four joint venturers in robbing and murdering Roberto Cruz, age 22, in Brighton on January 20, 1991. Mr. Jessamy was 18 years old. Jessamy was involved with a crew of young people committing armed robberies in Boston. On the day of the murder the crew targeted Roberto Cruz, who was working delivering pizzas. As the perpetrators surrounded the victim, Anthony Owens demanded car keys from the victim as he stood near his car. The victim ran from the street into a building. Anthony Owens and his brother Julius Owens ran after the victim. The evidence is in conflict on Mr. Jessamy's role in this part of the incident. Two perpetrators gave statements to the police, and they disagree on whether Mr. Jessamy ran with the Owens brothers into the building. Once the perpetrators caught up with Roberto Cruz, Anthony Owens shot him once in the back of the head. The perpetrators took the victim's car keys and fled in the victim's car. Two or three of the perpetrators were armed with handguns. One perpetrator who spoke with police said that Adrian Jessamy had a firearm at the time of the murder.

Mr. Jessamy was arrested on February 9, 1991 after he and his crew beat and robbed a man in Brighton. Police investigation of the February robbery led to evidence that implicated Mr. Jessamy and the Owens brothers in the January robbery and murder of Roberto Cruz. Mr. Jessamy pleaded guilty to second-degree murder and armed robbery on March 9, 1992. He received a life sentence with a concurrent sentence of 10 to 15 years for the armed robbery. He also pleaded guilty to the armed robbery he committed in February and received a concurrent sentence of 10 to 15 years. Anthony Owens, the shooter, also pleaded guilty to second-degree murder and two counts of armed robbery. He remains incarcerated. Julius Owens pleaded guilty to manslaughter and completed an 18 to 20 year sentence.

II. PAROLE HEARING ON JULY 7, 2011

Adrian Jessamy described that during the time period leading up to the murder "I was working but I was running the streets; I sold crack and marijuana." He admitted that he was part of a crew that committed armed robberies and on the day of the murder they planned to steal Roberto Cruz's car and use it to "rob drug dealers." Mr. Jessamy places all the responsibility for the murder on Anthony Owens. Mr. Jessamy asserted that "Anthony and Julius Owens had guns; I had no gun;" the victim "tussled" and "wouldn't give up his keys, so Anthony and Julius pulled out their guns" and chased the victim as he fled into a building. Mr. Jessamy claims "I was never in the hallway and never went into the building."

The Parole Board denied parole after Mr. Jessamy's first hearing in 2006. The decision noted that Mr. Jessamy did not take responsibility for the crime and was not involved in programs during his incarceration. At this hearing Mr. Jessamy said "I admit I was hanging out doing nothing before I saw the Board in 2006." Since 2006, he has completed Men's Work in 2006, the Correctional Recovery Academy in 2008, and has participated regularly in the NEADS dog program working with service dogs. He has not obtained a G.E.D. He has 37 disciplinary reports, including reports for fighting, threatening a correctional officer, and spitting on a correctional officer. He quit work assignments in 2005 and 2008, and was terminated from the Correctional Recovery Academy in 2006.

Mr. Jessamy was born in Barbados and moved to Massachusetts at age five. Due to an ICE detainer, he would likely be deported to Barbados if paroled.

Board Members discussed with Mr. Jessamy the issues related to his criminal conduct, his performance in the institution and his statements at the hearing: "your answers are so vague;" "it is difficult to elicit information from you;" "you minimize your involvement in the murder, your level of responsibility is not coming across;" "you caused the victim's death and two weeks later you are doing the same thing;" "a G.E.D. program is available at every institution and you have not participated; there are more programs available to you, you need more than NEADS;" "you showed a lot of anger and violence and I can't see that you have changed or addressed that;" "it appears that at certain points you have given up on yourself;" "you need to work harder to determine the cause of your anger and violence."

The inmate's mother and two sisters spoke in support of parole. Suffolk Assistant District Attorney Charles Bartoloni spoke in opposition to parole. Mr. Bartoloni noted the witness statement that described Mr. Jessamy joining Anthony Owens in pursuing the victim into the hallway. Witnesses also described the inmate "arguing over the pizza" they took from the victim's car. ADA Bartoloni also provided Grand Jury testimony of a perpetrator who testified that Mr. Jessamy, just after the murder, took possession of the clip and ammunition from the murder weapon.

III. DECISION

Adrian Jessamy was selling drugs and committing joint venture armed robberies in Boston. Not surprisingly, this conduct resulted in the murder of an innocent man. Mr. Jessamy accomplished little in the first fifteen years of his sentence. He has had some rehabilitative program participation in the last five years, but he fails to show a commitment to rehabilitation and reform. He would likely re-offend if paroled. Accordingly, parole is denied. If Mr. Jessamy hopes for parole someday, he needs to work hard and make substantial progress in the areas of insight into his criminal conduct, reducing criminal thinking, and developing pro-social behavior. Given the amount of work remaining for the inmate, there is no reason to shorten the statutory period of five years for the next review hearing.

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

Josh Wall

Josh Wall, Chairman

August 30, 2012

Date