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Paul M. Treseler
Chairman

Michael J. Callahan
Executive Director

DECISION

IN THE MATTER OF

ADRIAN JESSAMY
W52137

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 12, 2016

DATE OF DECISION: January 10, 2017

PARTICIPATING BOARD MEMBERS: Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Lucy Soto-Abbe

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 not a suitable candidate for parole. Parole is denied with a review scheduled in four years from the date of the hearing.

I. STATEMENT OF THE CASE

On March 9, 1992, in Suffolk County Superior Court, 19-year-old Adrian Jessamy pled guilty to the second degree murder and armed robbery of Robert Cruz. He received a life sentence with the possibility of parole for the murder and a concurrent 10 to 15 year sentence for the armed robbery. Mr. Jessamy also pled guilty to two counts of armed robbery, one count of assault and battery with a dangerous weapon, and one count of receiving a stolen motor vehicle for his role in a separate carjacking in Dorchester. He was sentenced to two concurrent 10 to 15 year sentences for the armed robbery counts. The assault and battery with a dangerous weapon count and the receiving a stolen vehicle count were filed.

Mr. Jessamy and his co-defendants, Anthony Owens, Julius Owens, Ira Mitchell, and Maurice Pierre were a group that committed armed robberies in Boston. On January 20, 1991, the group met at Mr. Pierre's home in Dorchester and then made their way to Brighton, where they saw Mr. Cruz (who was delivering pizzas) enter an apartment building. Mr. Jessamy and

his crew split into two groups, and waited for Mr. Cruz to exit the building. When Mr. Cruz appeared, the group surrounded him and demanded the keys to his car. Mr. Cruz refused and fled back into the apartment building. Some members of the crew, including Anthony Owens, followed Mr. Cruz into the foyer of the building, while others, including Mr. Jessamy, remained outside to act as lookouts. In the foyer, Mr. Cruz began pushing the buzzers of the apartments. Anthony Owens then pulled a gun and fired one shot into the back of Mr. Cruz' head. They took Mr. Cruz' keys and fled the scene in his vehicle. Mr. Cruz died of the gunshot wound the following day.

On February 9, 1991, Adrian Jessamy, Antony Owens, Maurice Pierre, Ira Mitchell, and Lester Davis went to an apartment building in Brighton, where a group of men were helping a friend move. Mr. Jessamy and his crew approached one of the men and demanded his keys and wallet. One of the co-defendants hit the man in the side of the head, knocking him to the ground. The group took his keys and wallet, and drove the man's car back to Dorchester. Mr. Jessamy was subsequently arrested.

II. PAROLE HEARING ON JULY 12, 2016

Mr. Jessamy, now 43-years old, appeared before the Parole Board on July 12, 2016, for a review hearing. Mr. Jessamy was not represented by counsel. This was Mr. Jessamy's third appearance before the Board. In his opening statement, Mr. Jessamy apologized to the family of Mr. Cruz. He admitted that he had been a drug dealer and stated that he would carry a weapon when he was selling drugs. He said, however, that he never meant for anyone to lose their life. Mr. Jessamy insisted that he didn't sell drugs because he needed the money and stated, "I was brought up right, so I knew what I was doing was wrong, but I still did it." Mr. Jessamy said that he had never used violence or weapons to intimidate people prior to the murder.

Discussion then turned to Mr. Jessamy's time in prison, and the fact that Mr. Jessamy incurred several disciplinary reports since his last hearing. Mr. Jessamy stated that he was in the NEADS program for four years and felt it had been beneficial to him. However, he was terminated from the program when the dog he was caring for gained too much weight. When asked what areas he could still work on, Mr. Jessamy identified anger management. Mr. Jessamy then described two recent disciplinary reports: one in 2013 for grandstanding in the hallway, and one in 2012 involving an argument with a corrections officer. Regarding the 2013 report, Mr. Jessamy indicated that he had asked a corrections officer if he could do his job before meal time. He told the Board, "I don't know if she was having a bad day or whatever, but we got into a little argument." Regarding the 2012 argument with the corrections officer, Mr. Jessamy stated that he had been sick and had missed chow time two days, and so he was taken off of the halal meal list. Mr. Jessamy argued with an officer about the situation. He stated, "I could have avoided an argument with the officer. I let myself fall into the trap."

Mr. Jessamy attends AA regularly and stated that, if paroled, he does not see himself using substances. If released on parole, Mr. Jessamy plans to go to Barbados, as he is subject to deportation. Although he has not lived in Barbados since he was five, Mr. Jessamy states that he has family there and will have a job and a place to live.

The Board considered oral testimony from Mr. Jessamy's two sisters in support of parole. They also testified about Mr. Jessamy's difficult upbringing at the hands of his abusive

step-father. The Board received a letter from the Suffolk County District Attorney in opposition to parole.

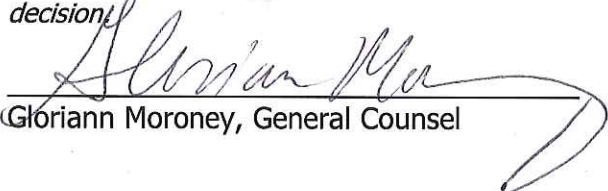
III. DECISION

The Board is of the opinion that Mr. Jessamy has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Although Mr. Jessamy has made some positive steps towards rehabilitation since his last parole hearing, he has incurred several disciplinary reports in that time, and he has failed to make significant progress in the areas of criminal conduct and criminal thinking. In addition, he has not made sufficient effort toward developing pro-social behavior or education. The Board believes that a longer period of institutional adjustment would be beneficial to Mr. Jessamy's rehabilitation.

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. Jessamy'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. Jessamy's risk of recidivism. After applying this standard to the circumstances of Mr. Jessamy's case, the Board is of the unanimous opinion that Mr. Jessamy is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Jessamy's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages Mr. Jessamy to engage in further programming and to work toward his full rehabilitation.

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.


Gloriann Moroney, General Counsel

1/10/17
Date