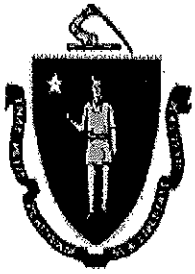


The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



Charles D. Baker
Governor

Karyn Polito
Lieutenant Governor

Terrence Reidy
Secretary

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Telephone # (508) 650-4500

Facsimile # (508) 650-4599



Gloriann Moroney
Chair

Kevin Keefe
Executive Director

DECISION

IN THE MATTER OF

DAVID JEFFERSON

W95101

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: November 9, 2021

DATE OF DECISION: July 6, 2022

PARTICIPATING BOARD MEMBERS: Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, 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 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 three years from the date of the hearing.¹

I. STATEMENT OF THE CASE

On September 21, 2009, after a jury trial in Franklin County Superior Court, David Jefferson was convicted of armed robbery and sentenced to life in prison with the possibility of parole. On that same date, Mr. Jefferson was convicted of kidnapping and sentenced to a concurrent term of 9 to 10 years in state prison.

On the afternoon of December 14, 2006, at approximately 2:00 p.m., a 19-year-old female reception clerk was working at the Super 8 Motel in Greenfield. A man, later identified as David Jefferson, approached her in the reception area using the employee entrance door propped open

¹ One Board Member voted to deny parole with a review in four years.

for convenience. Mr. Jefferson inquired about weekly rates at the motel. When the clerk asked him to come around to the front of the reception counter, Mr. Jefferson pulled out a black handgun and pointed it at her. He told the clerk that he wanted money and followed her to the counter, where he removed \$190 from a drawer. After insisting that she give him the rest of the money, the clerk opened a lockbox and handed Mr. Jefferson an additional \$250. Mr. Jefferson then directed her to the laundry room at gunpoint, where he bound her hands, and one of her legs, with black zip ties. He then closed the laundry room door and left. The victim was later found by another clerk scheduled to relieve her.

Police obtained a description of the suspect from the victim, who had recognized him as a past guest at the motel. The following day, Greenfield police were informed that police in Pennsylvania were seeking assistance in locating Mr. Jefferson, a wanted parole violator. Mr. Jefferson had been released from prison on August 28, 2006, but failed to report to a halfway house in Philadelphia. He had been serving sentences for armed robberies committed in 2001, including motel robberies where he had also tied up his victims. In addition, Mr. Jefferson was a suspect in a home invasion committed on December 6, 2006. Evidence discovered from the home invasion revealed Mr. Jefferson to be operating a stolen red Chevy Cavalier.

On December 19, 2006, Greenfield police observed a red Chevy Cavalier parked in the lot of the Super 8 Motel. The next day, officers arrested Mr. Jefferson as he attempted to enter the car. A package of black plastic zip ties and a black metal handgun were located under the driver's seat. The victim positively identified Mr. Jefferson as her assailant from a photo array.

II. PAROLE HEARING ON NOVEMBER 9, 2021²

David Jefferson, now 61-years-old, appeared before the Parole Board for his initial hearing on November 4, 2021. He was represented by Attorney Melissa Ramos. In his opening statement, Mr. Jefferson apologized to the victim and admitted that he was "ashamed" of the person he was on the day of the robbery. Mr. Jefferson detailed for the Board a troubling childhood, during which time he was exposed to substance abuse at an early age. He started drinking alcohol at age 10 and using heroin at age 13. His first heroin overdose occurred that same year. Mr. Jefferson spent time in numerous foster homes and halfway houses. He eventually became homeless, stealing cars to sleep in. He reported that substance abuse fueled his criminal activity and, eventually, dictated his life. Mr. Jefferson spoke of his criminal history prior to the governing offense, which included stabbing another teen when he was 14-years-old, as well as breaking into a shopworker's house and binding and robbing his wife. Mr. Jefferson accepted full responsibility for the governing offense, stating that he thinks about the victim often and would like the opportunity to apologize to her.

The Board noted that Mr. Jefferson's institutional adjustment has been poor, which appears to be related to his substance abuse issues. The Board was particularly concerned with a 2019 disciplinary infraction when Suboxone was found concealed in his mail. Mr. Jefferson admitted that it was sent to him by a former inmate, so he could sell the drugs to pay off a debt. He admitted to using drugs every day, while incarcerated, until 2017. Mr. Jefferson claims to have achieved sobriety and is being treated with Methadone, which (he reports) works well for him.

² The entire video recording of Mr. Jefferson's November 9, 2021 hearing is fully incorporated by reference to the Board's decision.

Mr. Jefferson has participated in rehabilitative programming, including Criminal Thinking, Violence Reduction, and AA/NA. He is currently enrolled in GPMP and GMP and is employed in the library, where he has taught himself to read and write. Mr. Jefferson explained that the Correctional Recovery Academy has had the biggest impact on his ability to empathize. He "never really thought about the victims of his crimes before" because he was only concerned with getting high.

The Board considered testimony, and an opposition letter, from the Northwestern District Attorney's Office.

III. DECISION

The Board is of the opinion that David Jefferson has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Jefferson was convicted of armed robbery at a Super 8 Motel, during which he tied up a 19-year-old victim – the motel clerk. He was on parole at the time of the armed robbery in the State of Pennsylvania. He has exhibited some concerning behavior, including a crime while incarcerated. As recently as 2019, he brought suboxone into the facility in order to "repay a debt." It is worth noting that, during the hearing, Mr. Jefferson admitted to earning several thousand dollars selling suboxone in the prison. Since his transfer to MCI-Shirley, he has completed the CRA, GPMP, and GMP. He needs to exhibit a longer period of positive adjustment.

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

Mr. Jefferson's next appearance before the Board will take place in three years from the date of this hearing. During the interim, the Board encourages Mr. Jefferson to continue working 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.


Pamela Murphy, General Counsel

7/10/22
Date