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The Commonwealth of Massachusetts
Executive Office of Public Safety

PAROLE BOARD

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Josh Wall
Chairman

DECISION

IN THE MATTER OF

JASON CLEMENTS

W64045

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: November 15, 2011

DATE OF DECISION: May 29, 2012

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

DECISION OF THE BOARD: After careful consideration of all relevant facts, including the nature of the underlying offense, prior criminal history, Mr. Clements' institutional record, the views of the public as expressed at the hearing or in written submissions to the Board, we conclude by a unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in two years.

I. STATEMENT OF THE CASE

Gregory Tillery, age 25, was shot dead on January 30, 1995 in Dorchester. During the same incident, Mr. Sakoya Willis, age 21, was the victim of an attempted shooting. Jason Clements and his co-defendant, Kenneth Mattox, were both armed with handguns, firing shots at the victims.

On January 30, 1995, Mr. Clements and Mr. Mattox argued with Mr. Tillery over territorial issues regarding drug sales. All these individuals had reportedly been known to sell drugs in and around the same area. Mr. Willis was also present during the argument over territory. Mr. Tillery reportedly made threats to harm Mr. Clements and Mr. Mattox during the argument. Shortly following this argument, Mr. Clements and Mr. Mattox returned to the same

general area armed with guns and Mr. Clements fired directly at Mr. Tillery and Mr. Willis. He missed Mr. Tillery and Mr. Willis. Mr. Tillery was struck by three bullets fired by Mr. Mattox and died of his gun shot wounds. Mr. Willis, who fled the scene, was not injured.

After the shooting Mr. Clements and Mr. Mattox fled the scene. According to police reports, Mr. Clements reportedly then called the home of Mr. Tillery in an attempt to intimidate his family.

Both Mr. Clements and Mr. Mattox were later identified by Mr. Willis. On a theory of joint venture, Mr. Clements was convicted by a jury of murder, second degree and sentenced to life in prison with the possibility of parole. For the attempted shooting of Mr. Willis, Mr. Clements was convicted of armed assault with intent to murder for which he received 4 to 5 years to be served after the life sentence. Mr. Clements seeks parole to this sentence. Mr. Mattox was found not guilty of the same offenses.

II. INSTITUTIONAL ADJUSTMENT

Mr. Clements was 17 years old at the time of the offenses. He is currently 34 years old. His prison record includes 10 disciplinary reports, many of which are serious violations, including manufacturing weapons, multiple assaults on inmates, introducing heroin into the institution and participating in a group demonstration. Mr. Clements has not received any disciplinary reports since 2003. Mr. Clements achieved his GED in 2001, but did not begin the majority of his programming for rehabilitation until 2009. Mr. Clements has also gained his welders license while incarcerated.

III. DECISION

Mr. Clements has a criminal history that commenced as a juvenile in 1990. By his own admission he began to commit crimes at the age of 10, quickly becoming a drug dealer. His record prior to the governing offense is replete with drug related offenses, and assaultive charges. Mr. Clements was committed to the Department of Youth Services for Assault by Means of a Dangerous Weapon, to wit a handgun. He has a long history of criminal activity related to his drug dealing and continued within the confines of this incarceration as evidence by his disciplinary record.

Although Mr. Clements' institutional behavior has significantly improved since 2003, his prior disciplinary reports are of the most serious in nature, and he has only recently demonstrated a commitment to rehabilitation. His record of rehabilitation, when balanced with his history of criminal behavior and violence, is not sufficient to establish that he does not present a risk for violent behavior. It is the unanimous decision of the parole board that Mr. Clements' parole to his next sentence is not warranted at this time because (a) parole is not compatible with the welfare of society and (b) the Board cannot conclude at this time that he would be unlikely to re-offend if paroled and released at the expiration of the next sentence.

The Board notes Mr. Clements' family and community support, as well as his recent efforts in rehabilitation, including gaining occupational skills. Mr. Clements' institutional behavior has also significantly improved as evident in his institutional record. In addition, Mr. Clements' demonstrated in his presentation before the board, that he is benefitting from his programming and overall incarceration. It is hoped that Mr. Clements' will continue to invest in his rehabilitation, education, and vocational training to prepare himself to successfully reintegrate into society should he be afforded the opportunity to do so in the future. It is the decision of

the board that Mr. Clements' will be provided a parole hearing in two years instead of the maximum five year set back.

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


Caitlin E. Casey, Chief of Staff


Date