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Josh Wall  
Chairman

**DECISION**

**IN THE MATTER OF**

**JESSE ROGERS**

**W56017**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** July 31, 2012

**DATE OF DECISION:** June 11, 2013

**PARTICIPATING BOARD MEMBERS:** Cesar Archilla, 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, 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 Mr. Rogers is not a suitable candidate for parole at this time. Parole is denied with a review in five years.

**I. INTRODUCTION**

Jesse Rogers appeared before the Massachusetts Parole Board on July 31, 2012 for a Review Hearing on the two life sentences he is serving. On March 7, 1994, Mr. Rogers pled guilty to the murders of 77-year-old Alba Pellegrini and her grandson, 32-year-old John Ward Jr., in their home on September 10, 1991. On July 10, 2007, Mr. Rogers appeared before the Board for his Initial Parole Hearing. The Board denied his parole and gave a five-year-review date.

**II. STATEMENT OF THE CASE**

On September 10, 1991, Jesse Rogers went to the home of Alba Pellegrini, age 77, where she lived with her grandson, John Ward Jr., age 32, and viciously beat and stabbed Ms. Pellegrini and Mr. Ward to death. Mr. Rogers was 28 years old.

Ms. Pellegrini had lived in her home on Peverell Street in Dorchester for many years. She had been the caretaker of her grandson, Mr. Ward, who suffered from the effects of cerebral palsy since birth and was confined to bed, to a chair in the kitchen or to a wheelchair. In the summer of 1991, in part because of family disputes and Alba Pellegrini's advancing age, she became unable to provide for all of John Ward's care by herself. In August 1991, she requested the assistance of a home healthcare aide from the Boston Visiting Nurses Association and Jesse Rogers, age 30, was assigned the case of Mr. Ward.

Mr. Rogers had been employed by various agencies as a home healthcare aide. In August of 1991, he was working for an agency called Trusted Healthcare Services when he was assigned to Mr. Ward. On or about August 19, 1991, Ms. Pellegrini complained to the Visiting Nurses Association that Mr. Rogers had failed to appear on evening visits and was not returning Mr. Ward to his bed, forcing her to do that herself. Mr. Rogers was removed from the case and given no new assignments by Trusted Healthcare, thus effectively terminating his employment.

Mr. Rogers had a turbulent history of employment with health care agencies. He was terminated from Uphams Corner Health Care on June 17, 1991 after a female patient complained of money missing after visits by Mr. Rogers. On two occasions in June of 1991, after having been terminated, Mr. Rogers went to the home of a former male patient and was suspected of theft. On September 7, 1991, Mr. Rogers had a third incident of stealing from a former patient. He appeared at the home and lied, telling a young relative of the former patient that he was still employed. He later visited the same home once more and property was discovered missing. Mr. Rogers would later admit to sufficient facts in the Roxbury District Court to a charge of Larceny. Evidence in the case would have demonstrated a pattern of returning to the homes of former clients for the purpose of stealing.

On September 9, 1991, one day before the murders, Mr. Rogers appeared at the Pellegrini/Ward home claiming he had been sent to provide "therapy" for Mr. Ward. This was a lie as he had been terminated. Ms. Pellegrini's sister, Dora Wall, visited that afternoon and became suspicious, noting that Mr. Rogers appeared intent on not leaving until she left. Ms. Wall told Mr. Rogers she was cooking supper and staying the night and Mr. Rogers finally left.

The following day, the day of the murders, Mr. Rogers returned to the Pellegrini/Ward home with the intent to steal. Ms. Pellegrini's sister, Olga Trevansani, would report that while speaking with Ms. Pellegrini on the phone she heard her sister go to the door, say "it's Jesse," and then say to the person at the door "what are you doing here, you know you're supposed to call before you come." Following that conversation, family members could not reach Ms. Pellegrini at her home. After several failed attempts to reach or have neighbors check in on Ms. Pellegrini, Ms. Barbara Ward Hogan, granddaughter and sister of the victims respectively, went to the house and had her husband and friend break in. They would discover the bodies of Alba Pellegrini and John Ward on a bed covered with blood.

Mr. Rogers had viciously attacked Ms. Pellegrini by striking her six times in the head and face with a tea kettle and stabbing her four times, three times in her chest, reaching her heart, and once in her neck. The medical examiner opined that she did not die immediately. Mr. Rogers violently attacked Mr. Ward, striking him numerous times on the forehead and face with the same tea kettle and stabbing him seven times. Mr. Rogers stabbed Mr. Ward twice in his chest and four times in his neck. The injuries were horrific as it appeared Mr. Ward's neck was sawed from side to side and two of the wounds went from the front to the back of the neck. Mr. Ward appeared to have fought for his life as he had defensive wounds to his arm and hand. The Medical Examiner also concluded that Mr. Ward also lived for some time before expiring.

Following the crime, Mr. Rogers was interviewed on three occasions. He repeatedly lied to the police, at times providing false and different alibis.

Prior to the murders, Mr. Rogers had several criminal cases involving larcenous behavior. He had multiple convictions for larceny, receiving stolen property, and credit card misuse. As a result of the convictions, he had served two House of Correction sentences.

### **III. INSTITUTIONAL HISTORY**

Jesse Rogers is serving his first state and third adult incarceration. He has served twenty years on two concurrent life sentences. While awaiting trial, his adjustment was poor, incurring five disciplinary reports, mostly for fighting and disruptive behavior. He has 27 additional disciplinary reports during his time at the Department of Correction. He has two returns to higher custody. The first return occurred in 1994 due to disruptive behavior. The most recent return occurred in September 2004 due to three disciplinary reports for fighting. He used a weapon in one of the fights.

Since his 2007 hearing, Mr. Rogers has received 10 disciplinary reports. One of those reports occurred on the morning of his interview with parole staff on July 23, 2012. He received the disciplinary report following a confrontation with a correctional officer and was taken to the Special Management Unit at MCI Shirley. When asked at his interview how many disciplinary reports he had received since his hearing in 2007, he repeatedly maintained he had only received two. It is unclear why he made this misrepresentation.

Mr. Rogers did not have meaningful program participation for the first 13 years of incarceration. He began program work in November 2004 by entering the Substance Abuse and Violence Interdiction Unit at Souza-Baranowski. He completed the program in January 2005. He has also completed Anger Management, Alternatives to Violence, and the Correctional Recovery Academy (in 2006). He reported that he is attending AA/NA more regularly than he has in the past.

Mr. Rogers' work history includes being terminated from the Clothing Shop in 1996 at MCI-Norfolk for stealing four shirts for an undetermined cause. He was involved in stealing from the kitchen in 1997 which resulted in him losing his job. He has worked in the Library at NCCI-Gardner with positive evaluations.

#### **IV. PAROLE HEARING ON JULY 31, 2012**

Jesse Rogers appeared before the Parole Board on July 31, 2012 for a review hearing. Mr. Rogers has created considerable confusion about his motive and conduct in committing the murders, which has complicated his rehabilitation. At this hearing, he did say that he had stolen money from the victim on previous occasions and that he lied at his first parole hearing when he denied doing so. He initially claimed at this hearing that on the day of the murders, he did not go to the house with the plan to steal. That turned out to be a lie; as Board Members pointed out the evidence supporting a motive to steal, Mr. Rogers did admit that he went to the house with the specific intent to steal.

Board Members asked Mr. Rogers about his pattern of stealing from elderly former patients. He admitted that he was dismissed from three jobs because he was stealing from the patient. He also admitted that, after dismissal, he returned to all three houses to steal. When confronted with information about a fourth dismissal, Mr. Rogers also admitted that he tied and gagged a disabled patient, and then left the house for a personal errand. The patient was found with bruises on his back. Mr. Rogers said "his guardian told me to restrain him that way" and said the bruises resulted when the patient "fell on a radiator."

In describing the murders, Mr. Rogers said that "John asked her to throw me out and call the police; that's when I grabbed the kettle and I just snapped." He said, "It was the stuff I was using," and said he was "drinking and drugging the night before." When asked about the anger that erupted, Mr. Rogers said, "I don't know why I was so angry; I don't know why I did this." Board Members suggested to Mr. Rogers that he needs to address his anger and violence in his plan for rehabilitation. When asked about his institutional adjustment since his last hearing his reply was "I feel it's better." When asked how many disciplinary reports he believes he incurred since his last parole hearing, he said he could only think of three. It was pointed out that he had actually incurred ten disciplinary reports since his last hearing, including reports for weapons possession, fights, and insolence.

Two family members of the victim testified in opposition to parole. Suffolk Assistant District Attorney Charles Bartoloni also testified in opposition.

Three of Mr. Rogers' sisters testified in support of his parole. Their testimony was not helpful for Mr. Rogers' parole request as each indicated she did not believe that Mr. Rogers committed the murders. After the sisters testified, Mr. Rogers stated near the end of the hearing, for the first time, that someone else was responsible for the murders. Asked by the Board what he was talking about, Mr. Rogers responded 'I wanna leave it like it is.' Upon further questioning, he implicated another person and named a "Victor Brown" as having committed the murders.

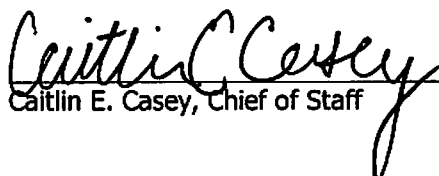
No Board Member believed Mr. Rogers' new claim, as there is no evidence to support it. In the unlikely event that another person assisted Mr. Rogers in the murders, it does not exonerate Mr. Rogers, but it does seriously damage his credibility because it would mean he testified falsely at his at his plea hearing and first parole hearing.

## **V. DECISION**

Jesse Rogers murdered two innocent and defenseless people: an elderly woman and her grandson, who was disabled due to cerebral palsy. The murders evidenced particular brutality and viciousness. Mr. Rogers has further complicated a difficult path to rehabilitation by deceiving the Parole Board and the victims' family. At his first parole hearing, he was dishonest about his motive and his history of theft from the victims. At this parole hearing, he was dishonest about his motive until confronted with the evidence. Moreover, he made a bizarre claim near the end of the hearing that someone else committed the murders. Based on these circumstances, the Parole Board concludes that Jesse Rogers is not rehabilitated.

The standard we apply in assessing candidates for parole is set out in 120 C.M.R. 300.04, which provides that, "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." Applying that appropriately high standard here, it is the unanimous opinion of the Board that Mr. Rogers does not merit parole. The period of review will be five years. Mr. Rogers needs to get involved in meaningful program work to address issues of dishonesty, anger, violence, and lack of empathy.

*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.*

  
Caitlin E. Casey, Chief of Staff

6/11/13  
Date