



**Charles D. Baker**  
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*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety and Security*

**PAROLE BOARD**

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**Paul M. Treseler**  
Chairman

**Michael J. Callahan**  
Executive Director

**DECISION**

**IN THE MATTER OF**

**JESUS SIERRA**

**W54612**

**TYPE OF HEARING:** Review Hearing

**DATE OF HEARING:** February 14, 2017

**DATE OF DECISION:** August 7, 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 in five years from the date of the hearing.

**I. STATEMENT OF THE CASE**

On June 9, 1993, in Suffolk Superior Court, Jesus Sierra pled guilty to the second degree murder of his girlfriend, 34-year-old Santa Montanez. Accordingly, he was sentenced to life in prison with the possibility of parole. Mr. Sierra was 26-years-old at the time of the murder.

On March 7, 1992, Mr. Sierra strangled his girlfriend to death and stabbed her numerous times. Mr. Sierra and Ms. Montanez had been dating for less than a year when he moved into her third floor apartment in Dorchester, where she lived with her 11-year-old daughter. On the night of the murder, Mr. Sierra had arrived home from work around midnight. At around 12:40 a.m., Ms. Montanez's sister, who lived on the second floor, heard screaming coming from her sister's apartment upstairs. Ms. Montanez's other sister, who lived on the first floor, joined her sister and her husband in checking on Ms. Montanez. They proceeded to the third floor and entered the apartment. They went to the locked bedroom door and called out, asking if everything was okay. Mr. Sierra answered that everything was fine, so everyone returned to their respective apartments. Shortly thereafter, Mr. Sierra left the house.



When Ms. Montanez's sisters returned to the third floor to check on her, they found that she had been strangled with an extension cord and stabbed numerous times with a small knife. Ms. Montanez was rushed to Boston City Hospital, where she was pronounced dead. The cause of death was determined to be asphyxia and strangulation from a ligature. Ms. Montanez's 11-year-old daughter was asleep in her bedroom, when Mr. Sierra murdered her mother. The next day, Mr. Sierra turned himself in to police and admitted to the crime.

## **II. PAROLE HEARING ON FEBRUARY 14, 2017**

Jesus Sierra, now 51-years-old, appeared before the Parole Board for a review hearing. He was not represented by counsel. Mr. Sierra had been denied parole after both his initial hearing in 2007 and his review hearing in 2012. On April 8, 2009, Mr. Sierra (while incarcerated) was convicted of two counts of assault and battery on a corrections officer and was sentenced to serve three months from and after his life sentence. The United States Immigration and Customs Enforcement (ICE) lodged a detainer against Mr. Sierra, who is a citizen of the Dominican Republic. In his opening statement to the Board, Mr. Sierra said that since his last hearing in 2012, he has completed 23 programs and has not incurred any violent disciplinary reports. Mr. Sierra did not mention the victim, the murder, or display any empathy towards the victim or her family. He told the Board that he wants to be paroled to his from and after sentence, and then to his ICE detainer, so he can return to the Dominican Republic.

In describing the night of the murder, Mr. Sierra told the Board that he arrived home from work before midnight and heard Ms. Montanez on the phone with another man. He said she was making plans to see this man the next week. However, Mr. Sierra then told the Board that after listening to the phone conversation, he could not recall any details of his subsequent actions or the murder. He said he was told that he strangled and stabbed Ms. Montanez, but claims that he cannot remember any of it. He further stated that he has no understanding of how he could have committed such a brutal act of violence. Board Members asked him why he flew into such a rage that night and Mr. Sierra responded, "I really can't tell you because I guess I blacked out for a couple of minutes. I have no record of any violence." He told the Board he was not on drugs at the time of the murder. He had consumed a few beers when he got home from work, but said that he was not intoxicated. When asked why he locked the bedroom door and left the apartment after murdering Ms. Montanez, he claimed that he did not know she was dead when he left, rather, he just needed to "get out and get some air." Throughout the hearing, Mr. Sierra maintained that he has absolutely no memory of the murder, that he was never violent to Ms. Montanez prior to the murder, and that he is not a violent person.

The Board then questioned Mr. Sierra about his very poor institutional adjustment. Mr. Sierra has received a total of 86 disciplinary reports during his incarceration. His serious disciplinary infractions include assaulting staff, threatening staff, fighting with other inmates, flooding his cell and the tier, possession of weapons, setting fire to his cell, refusing direct orders, insolence, and a consistent pattern of throwing food, urine, and feces at staff members. He frequently has explosive displays of anger and violence that are directed (primarily) at staff. His most recent disciplinary infractions (he received several in 2015) were non-violent, but he received them because he was running an illegal "store" for other inmates. He told the Board that he did not think running his store was a problem because "it wasn't selling drugs or doing anything wrong."



When Board Members asked about his violence and apparent issue with authority figures, Mr. Sierra explained that his poor adjustment was due to him not being respected. He maintained that the behavior and actions of corrections staff and other inmates caused his violence and criminal behavior. The Board expressed concern that Mr. Sierra was minimizing his poor institutional adjustment and blaming his behavior on others. Board Members also expressed concern that despite all the programming he completed in the past five years, Mr. Sierra is still unable to follow institutional rules, continues to receive disciplinary reports, and shows no insight into the murder or the causative factors of his violence. The Board further questioned his credibility due to his insistence that he cannot remember any details of the murder itself, but he can, however, remember everything that occurred both before and after he brutally killed Ms. Montanez.

Mr. Sierra had several family members in attendance at the hearing in support of parole. The Board considered testimony from Mr. Sierra's niece, who read a letter written by his sister. The Board received letters in opposition to parole from Suffolk County Assistant District Attorney Charles Bartoloni and Boston Police Commissioner William Evans.

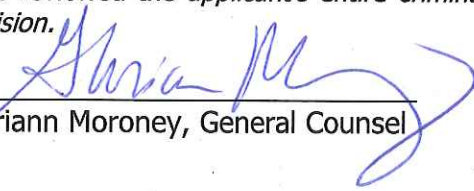
### **III. DECISION**

The Board is of the opinion that Mr. Sierra has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. The Board believes that a longer period of positive institutional adjustment and programming would be beneficial. Mr. Sierra lacks candor and does not exhibit that he is rehabilitated. In addition, Mr. Sierra has had a poor institutional adjustment that includes 86 disciplinary infractions.

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. Sierra's institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Sierra's risk of recidivism. After applying the appropriately high standard to the circumstances of Mr. Sierra's case, the Board is of the unanimous opinion that Jesus Sierra is a not a suitable candidate for parole.

Mr. Sierra's next appearance before the Board will take place in five years from the date of this hearing. During the interim, the Board encourages Mr. Sierra 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.*

  
Gloriann Moroney, General Counsel

8/7/17  
Date