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Executive Office of Public Safety

PAROLE BOARD

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Josh Wall
Chairman

DECISION

IN THE MATTER OF

JESUS SIERRA

W54612

TYPE OF HEARING: Review Hearing

DATE OF HEARING: February 7, 2012

DATE OF DECISION: May 2, 2013

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Charlene Bonner, Sheila M. 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, criminal record, institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing or in writing, we conclude by unanimous vote that the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in five years from the date of the hearing.

I. STATEMENT OF THE CASE

Jesus Sierra appeared before the Massachusetts Parole Board on February 7, 2012, for a review hearing. On February 21, 2007, the Board denied parole and set a five year period of review. On April 8, 2009, Mr. Sierra was convicted of two counts of assaulting and battering a corrections officer and sentenced to serve three months. These sentences are concurrent with each other and consecutive to his life sentence. United States Immigration and Customs Enforcement (ICE) has lodged a detainer against Mr. Sierra, who is a citizen of the Dominican Republic. Mr. Sierra seeks parole to his consecutive sentence and then to the ICE detainer.

On March 7, 1992, Jesus Sierra strangled his girlfriend, 34-year-old Santa Montanez, to death and stabbed her numerous times. On June 9, 1993, in Suffolk Superior Court, Mr. Sierra pleaded guilty to second degree murder and was sentenced to serve life in prison.

Mr. Sierra and the victim had been dating for less than a year when he moved into the third floor apartment in Dorchester that she shared with her eleven-year-old daughter. He had been living there for approximately six months before he killed Ms. Montanez.

On the night of the murder, Mr. Sierra arrived home after midnight. Around 12:40 a.m., Ms. Montanez's sister, Claribel DeJesus, who lived on the second floor, heard noises coming from her sister's apartment and woke up her husband, Anibal, who had arrived home with Mr. Sierra. They proceeded to the third floor and, finding the apartment door locked, Ms. DeJesus ran to the first floor to get the key from her other sister, Maria. Ms. DeJesus returned to the third floor apartment with Maria and her husband and opened the apartment door. They could still hear shouts and screaming.

They entered the apartment, went to the locked bedroom door, and called out asking if everything was okay. The victim did not say anything, but Mr. Sierra answered that everything was fine, and everyone returned to their respective apartments. Shortly thereafter, Mr. Sierra left the house.

Claribel and Maria returned to the third floor to check on the victim and found her strangled and stabbed. She had been strangled with an extension cord and stabbed numerous times with a small knife. She 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. An autopsy also revealed numerous cuts and lacerations on various parts of her body, including her neck and arms. Ms. Montanez's eleven-year-old daughter had been sleeping 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. INSTITUTIONAL CONDUCT

Mr. Sierra's institutional conduct has been an extremely, negative and violent inmate. Mr. Sierra has incurred a total of 78 disciplinary reports, one return to higher custody and three lateral transfer failures. His serious disciplinary infractions include assaulting staff, threats to staff, fights 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 directed primarily at staff.

For a period of approximately two years before his first parole hearing, Mr. Sierra managed to be disciplinary report-free but following his initial parole hearing his violent behavior resumed. On August 29, 2008 he assaulted two correctional officers and subsequently criminal charges were brought against him. Despite his self-defense claim he was found guilty in court and sentenced to a 3 month from & after sentence with a 3 month concurrent from & after sentence. His assaultive and violent behavior continued well into 2008 resulting in multiple placements in disciplinary detention.

While awaiting trial at the Nashua State Jail in 1992 Mr. Sierra attempted suicide by cutting his wrists and he was placed at Bridgewater State Hospital from June 1992 until February 1993. He also cut his wrist on July 1, 1993 while at MCI-Cedar Junction. He currently

reports being seen by mental health once a month. Mr. Sierra has had limited program involvement. He received a certificate following an eight session program with the Mental Health Group in 1994, and completed other sessions with this group in 1995. He worked in the Industries Clothing Shop at MCI-Norfolk for approximately 3 ½ years from 1995 until 1998, when an altercation with another inmate resulted in his termination. He has worked at various times at MCI-Cedar Junction in 2001, 2003, and 2004.

Jesus Sierra is a violent and dangerous inmate. He shows no inclination to cooperate with authority or institutional rules. If asked to abide by a rule, he is more likely to throw urine or feces at staff than follow the request.

III. PAROLE HEARING ON FEBRUARY 7, 2012

Jesus Sierra is 46 years old. He came to the United States from the Dominican Republic in 1986. He met Santa Montanez about five years later. He said he has three children in Massachusetts but he has no contact with them. He drank alcohol and used cocaine. He believes his "mental health issues started after I got to prison." He said he has a diagnosis of depression.

He admits that he stabbed and strangled the victim. He said that he came home from work and listened in on a phone call between Ms. Montanez and another man. He said that "she made plans to meet him the next day." He asked her about the call and "she laughed at my questions." Given the facts of the case, Board Members doubt Mr. Sierra's claims about the telephone call.

Mr. Sierra has 14 disciplinary reports since his last hearing. He was convicted of two counts of assault and battery for attacking two corrections officers in August 2008. Mr. Sierra told the Board that "they attacked me" and that he was wrongfully convicted.

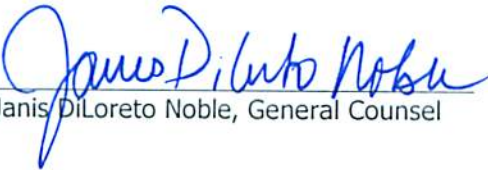
Regarding current activity, Mr. Sierra is not working, participating in any program, or attending AA/NA. Since his last hearing, he did complete Alternatives to Violence and Thinking For a Change.

There were no supporters in attendance.

IV. DECISION

Jesus Sierra murdered his girlfriend and has spent two decades of incarceration resisting rehabilitation and embracing violence. Currently, he is not employed and attends no programs. His conduct in prison demonstrates that he is a very dangerous person. He would be likely to re-offend if paroled and his release is incompatible with the welfare of society. Parole is denied with a review in five years.

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.


Janis DiLoreto Noble, General Counsel

5/2/13
Date