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Executive Office of Public Safety

PAROLE BOARD

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Josh Wall
Chairman

DECISION

IN THE MATTER OF

RAMON DEJESUS

W65419

TYPE OF HEARING: Initial Hearing

DATE OF HEARING: February 21, 2013

DATE OF DECISION: July 3, 2013

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

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 the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in five years.

I. STATEMENT OF THE CASE

Ramon DeJesus appeared before the Board for an Initial Hearing seeking parole from his life sentence for second degree murder.

On January 4, 1996, Ramon DeJesus (then age 47) went to the apartment where his estranged wife, Elizabeth Cora, (age 26) was staying with their children. He engaged in drinking throughout the evening with Ms. Cora and two other adults. An argument ensued between Ms. Cora and Mr. DeJesus. He left early on January 5, 1996 and returned with a revolver several hours later. He chased Ms. Cora into a bedroom where he shot her twice, once in the right temple and once in the left breast. Two of their children, a four year old and a three year old, witnessed the murder. Following the murder Mr. DeJesus fled the apartment and was confronted by police officers who were responding to a call that shots had been fired. The police officers witnessed Mr. DeJesus throw a gun across the street. According to police reports, Mr. DeJesus was placed in custody and voluntarily made the statement "I shot the

bitch. I hope the bitch is dead." Ms. Cora had an active restraining order against Mr. DeJesus on the day of the murder.

On October 19, 1998, Mr. DeJesus pled guilty to second-degree murder in Suffolk Superior Court.¹ He was sentenced to life in prison.

II. PAROLE HEARING ON FEBRUARY 21, 2013

Mr. DeJesus acknowledged that he has a lengthy history of alcohol and poly-substance abuse. He also stated that his main source of income was from selling drugs, but insists that such profits primarily went to the care of his nine children (four with Ms. Cora). He considered himself to be a very good provider and stated he had to resort to selling drugs because he was unable to find legitimate employment due to his lack of education and his criminal record.

Mr. DeJesus vacillated on whether he was addicted to drugs and alcohol. He admitted to having a long history of poly-substance abuse, but was unclear as to how frequently he used drugs. Mr. DeJesus insisted, however, that Ms. Cora was addicted to drugs and that she consistently used the money he gave her for groceries and other things for the children in order to buy drugs for herself. Mr. DeJesus insisted that his anger toward Ms. Cora and the source of their problems were due to her addiction and, in his view, her neglect of the children. The Board questioned Mr. DeJesus intently regarding his history of criminal behavior, abuse toward Ms. Cora, and the effects his behavior had on all of his children. Mr. DeJesus insisted his behaviors were justified under the circumstances, namely, his unemployment and Ms. Cora's inability to care for their children. The Board specifically questioned Mr. DeJesus's appearance of blaming the victim and failing to appreciate his lengthy history of criminal behavior and maltreatment of others. Mr. DeJesus responded with numerous contradictory statements regarding his responsibility for the death of Ms. Cora, the traumatization of his children who witnessed both the murder and his prior abuse of their mother. Mr. DeJesus admitted to holding a knife to Ms. Cora's throat on one occasion, and hitting her on one occasion, but insisted he was trying to force her to stop abusing drugs and felt at the time that threatening her was the only choice he had.

Mr. DeJesus consistently stated that he had no intention of murdering Ms. Cora, and that "what happened was an accident." He insisted that he returned to the apartment the morning of the murder to bring food to his children. Mr. DeJesus insisted that he often carried a gun because he was a drug dealer, and that he happened to have it that morning. He stated that he woke his wife up to give her food for their children, and they began to argue "about her drug use." He insisted that Ms. Cora took the gun from him and that she pushed him. He stated the gun "went off" during his struggle to get the gun back. He denied making any statement to the police that he intentionally shot his wife. He did state, however, that he wanted to kill her at times because "she was no good for the kids." Mr. DeJesus also insisted that because of his known history of dealing drugs, the Department of Social Services and the local police department were "against me" and he had no avenue to take custody of his children.

Mr. DeJesus stated he has been married four times and had nine children, eight of whom are living. He made contradictory statements when asked if he had engaged in any domestic abuse in his other relationships. Mr. DeJesus continued to state throughout the

¹ Mr. DeJesus was also indicted for unlawful possession of a firearm and violation of a restraining order. Those charges were dismissed by *nolle prosequi* in reliance on Mr. DeJesus' guilty plea to second degree murder.

hearing that he has been a very good father to all of his children, and that he maintains a positive relationship with them. He stated he was sorry that the accidental shooting happened, and realizes that his children had to grow up with no parent, but insisted that he was a good parent, and Ms. Cora was not.

The Board also asked Mr. DeJesus about his history of mental health issues, particularly inquiring about what role, if any, his mental health played in the murder of Ms. Cora. Mr. DeJesus admitted that he had a history of numerous psychiatric hospitalizations, and that he has suffered from "hearing voices" and suicidal ideation. Mr. DeJesus has two known suicide attempts, most recently directly following the murder of Ms. Cora. He stated "I had problems since I was very young. I lost my mind." Mr. DeJesus insisted, however, that he was not symptomatic during the time when he committed the murder, and that he did not raise his mental health issues as part of his defense. This contradicts other documentation;² however, Mr. DeJesus stated he does not recall ever struggling with competency issues or having any psychiatric symptoms around the time of the murder or his trial.

Mr. DeJesus has been treated for a major mental illness throughout his incarceration, including spending nine years in the special management unit for inmates requiring intensive mental health treatment. Mr. DeJesus acknowledged that he has required intensive mental health treatment and stated that as long as he takes his prescribed medication, he does not experience any psychotic symptoms. He also stated that if he does not take such medication, "I'll lose my mind." It remains unclear if Mr. DeJesus was engaged in or compliant with mental health treatment during the period when he murdered Ms. Cora. He made statements that he was abusing substances, including cocaine and heroin when he murdered Ms. Cora, but these statements have also been inconsistent.

Mr. DeJesus has participated in and completed numerous programs related to his mental health. He has had minimal programming in relation to his substance abuse history and is not currently engaged in programming. He has had minimal disciplinary issues, the most recent occurring in 2008 after he slapped another inmate. Mr. DeJesus stated that the inmate made fun of him and others who were taking medication, and he reacted by slapping him. Mr. DeJesus stated that he did not hurt the individual but recognizes he could have handled the situation differently.

Mr. DeJesus stated that he has benefitted from his rehabilitation and believes he can re-enter society with the support of his family. Mr. DeJesus requested that he be paroled to his sister's home, and that he would engage in mental health counseling, stay on his medication, and he would find employment. Mr. DeJesus did not believe he was in need of substance abuse treatment or any additional supports.

III. DECISION

Ramon DeJesus has a perception of himself, his actions on the day of the murder, and his overall citizenship in the community that is inconsistent with the facts of the case and information that is known and self-reported. He provided contradictory responses to numerous questions that are pertinent to assessing his level of insight and his risk for future harm to himself and others. Mr. DeJesus justified his past criminal behavior, and he either denied or

² According to the District Attorney, at trial Mr. DeJesus's defense was to include evidence of his impaired mental state due to intoxication and a psychiatric history. The defense intended to argue lack of criminal responsibility due to mental impairment, but did not have an expert witness. The Commonwealth did have an expert witness prepared to testify that Mr. DeJesus was criminally responsible.

significantly minimized his destructive, dangerous and maladaptive behaviors. He views himself as a good father and husband, and he described the murder of Ms. Cora as an accident that she caused.

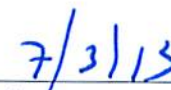
The Board recognizes that Mr. DeJesus's mental health issues, educational deficits and in part, his cultural and language barriers likely affected his level of comprehension some questions that were asked. The Board re-framed questions to compensate for such deficits, and gained what appeared to be an authentic and accurate account of Mr. DeJesus's perception and beliefs. Mr. DeJesus was also represented by an attorney, who assisted with clarifying his responses.

The Board has significant concerns regarding Mr. DeJesus's lack of rehabilitation, and potential to resume the same lifestyle and behaviors that ultimately led to the murder of Ms. Cora. Although Mr. DeJesus is fortunate to have many family members who testified in support of his parole, including two of his children, he appears to lack profound insight into his history of maladaptive behaviors. Thus Mr. DeJesus has little appreciation for his need for change and for intensive ongoing treatment. Mr. DeJesus has a distorted view of himself, his responsibility for the murder of Ms. Cora, and his maltreatment of others. Despite his history of sobriety while incarcerated, and his participation in and compliance with his mental health treatment, Mr. DeJesus does not demonstrate that he is capable of becoming a productive and positive member of society.

The standard 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 an 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, the Parole Board concludes that Mr. DeJesus is not currently suitable for parole. It is the unanimous decision of the Parole Board to deny Mr. DeJesus's parole 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


Date