



The Commonwealth of Massachusetts
Executive Office of Public Safety

PAROLE BOARD

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DECISION

IN THE MATTER OF

SERGIO RENTA

W63944

TYPE OF HEARING: Initial Hearing
DATE OF HEARING: December 13, 2011
DATE OF DECISION: October 19, 2012

PARTICIPATING BOARD MEMBERS: Cesar Archilla, Dr. Charlene Bonner, Sheila Dupre, Ina Howard-Hogan, Roger Michel, and 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 the inmate is not a suitable candidate for parole at this time. Parole is denied with a review in three years.

I. STATEMENT OF THE CASE

On January 15, 1998, Mr. Renta received a life sentence after pleading guilty in Essex Superior Court to the second degree murder of Franklin Joseph, age 25.

On November 29, 1996, Mr. Renta approached Franklin Joseph on Elm Street in Lawrence. When Mr. Renta pulled out a gun, the victim turned to run. Mr. Renta fired three shots at the victim and hit him twice in the back. Mr. Renta fled the area and was subsequently apprehended in Newburyport on December 2, 1996. Three spent shell casings were recovered at the scene. Sergio Renta was 19 years old.

II. INSTITUTIONAL HISTORY

During fifteen years of incarceration, Sergio Renta received only one disciplinary report, which is an excellent record of conduct.

The inmate earned a GED in 1999 and had some religious program participation from 1998 to 2001. It appears he had little program participation from 2002 through 2008. Since 2009, Mr. Renta has completed several programs including Alternatives to Violence (three phases), the Correctional Recovery Academy and its Graduate Maintenance Program, and Active Listening. He also completed welding training, and participated in Nuestra Familia and 12 Steps.

The Department of Correction lists Mr. Renta as a validated member of the Latin Gangsta Disciples, which he vehemently denies. He has been afforded the opportunity to disassociate himself from this group, but he has stated that he has no need to disassociate himself from something that he doesn't belong to.

III. PAROLE HEARING ON DECEMBER 13, 2011

On Tuesday, December 13, 2011, Sergio Renta appeared before the Massachusetts Parole Board for an Initial Hearing. Mr. Renta apologized to the Joseph family. He said that the resources at the Department of Correction have helped him. He said that "the resources are there, but personal motivation is the key to using resources."

He explained that he developed emotional and behavioral problems at age 14 after a friend of his step-father's was murdered in the inmate's house. At age 17 he had a violent confrontation with his brother (he chased him with a knife) which led to a hospitalization for psychiatric treatment. He said he "heard voices" during that time, but he has not had mental health problems for years. He dropped out of school in tenth grade. By that time he was an active drug user and dealer. He smoked marijuana and drank beer daily; he used cocaine regularly. He kept "guns, knives, and bats in my house." He obtained the gun at age 18. He was also "hustling and stealing, anything to make money." He said he had friends who were gang members and that he "hung on the street where all the gang members hung," but he denied being a gang member. He said he sold drugs on his own, not as part of gang activity. He could not explain why the police found LGD gang symbols in his bedroom.

Mr. Renta described his motive for the murder. He said it was an average day: he was not working or going to school, so he woke up and "used coke and weed all day." He said that his brother Pepito and Franklin Joseph had a dispute over a drug transaction which led to a fight on the day of the murder. The inmate said he watched the fight and "laughed and cheered on Pepito, who got the better of the fight." According to Mr. Renta, the victim found Pepito on the street that night and chased him with a knife. After Pepito ran into a store to escape, Sergio Renta ran home, retrieved his gun, and returned to Elm Street in search of the victim. Mr. Renta admitted that he confronted the victim, the victim ran, and he "shot around three times" at the victim.

The inmate explained that he had many fears, many of which came from witnessing the murder in his house. He said, "I became violent and aggressive; I took everything as a threat even though it wasn't; I had a lot of anger."

Essex Assistant District Attorney Andrea Miller spoke in opposition to parole, as did the victim's sister. The victim's sister stated that Mr. Joseph was "like a father to me, he helped me with everything." Mr. Joseph had two very young children when he was murdered. Three supporters of parole testified.

IV. DECISION

Sergio Renta had a violent and destructive lifestyle in his teenage years. His antisocial behavior culminated in the murder of Franklin Joseph. The inmate's institutional conduct is excellent but he got a late start with his rehabilitative programming. Most of his work is

compressed into the last three years. That is not a sufficient time to reform habits and rehabilitate character. Mr. Renta, therefore, is not ready for release to the community.

The standard applied in assessing candidates for parole is set out in 120 CMR 300.04, which provides that "[p]arole 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 compatible with the welfare of society." Applying that appropriately high standard, we find the inmate does not merit parole at this time. In the meantime Mr. Renta should continue on the positive path he has set. His recent progress gives a good indication that he can meet his rehabilitative goals that would reduce his risk to the community. Because of his progress, a five year review is unnecessary. The next hearing will be in three years.

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


Timothy V. Dooling, General Counsel

10/18/10
Date