



The Commonwealth of Massachusetts
Executive Office of Public Safety and Security



PAROLE BOARD

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DECISION

IN THE MATTER OF

JESSE ROGERS

W56017

TYPE OF HEARING: Review Hearing

DATE OF HEARING: July 11, 2017

DATE OF DECISION: August 7, 2018

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 scheduled in five years from the date of the hearing.

I. STATEMENT OF THE CASE

On March 7, 1994, in Suffolk Superior Court, Jesse Rogers pleaded guilty to two counts of second degree murder and was sentenced to life in prison with the possibility of parole.

On September 10, 1991, Jesse Rogers went to the Dorchester home of 77-year-old Alba Pellegrini, where she lived with her 32-year-old grandson, John Ward Jr., and viciously beat and stabbed them both to death. Mr. Rogers was 30 years old at the time. Ms. Pellegrini had been the caretaker of her grandson, who had suffered from the effects of cerebral palsy since birth. Mr. Ward was confined to a bed, a chair in the kitchen, or a wheelchair. In the summer of 1991, she became unable to provide for all of Mr. Ward's care by herself. In August 1991, she requested the assistance of a home health aide from the Boston Visiting Nurses Association. Jesse Rogers was assigned the case of 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, forcing her to return Mr. Ward to bed by herself. Mr. Rogers was subsequently removed from the case. On September 9, 1991, however, Mr. Rogers appeared at the Pellegrini home, falsely claiming that he had been sent to provide "therapy" for Mr. Ward. Ms. Pellegrini's sister visited that afternoon and became suspicious, noting that Mr. Rogers appeared intent on not leaving until she left. When Ms. Pellegrini's sister told him she was staying the night, Mr. Rogers finally left. The following day, Mr. Rogers returned to the Pellegrini home with the intent to steal. Ms. Pellegrini's other sister would later report that, while speaking with Ms. Pellegrini on the phone, she heard her sister say to the person at the door, "It's Jesse" and then say, "What are you doing here, you know you're supposed to call before you come." Following the conversation, family members could not reach Ms. Pellegrini at her home. After several failed attempts to reach Ms. Pellegrini, relatives and a friend went to her house and discovered 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 three times in the 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, as well, striking him numerous times on the forehead and face with the same tea kettle and stabbing him several times in his chest and neck. Mr. Ward appeared to have fought for his life, as he had defensive wounds on both his arm and hand. The medical examiner concluded that Mr. Ward had also lived for a period of 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. In September 1992, he was arrested for the governing offenses.

II. PAROLE HEARING ON JULY 11, 2017

Jesse Rogers, now 56-years-old, appeared before the Parole Board for his review hearing on July 11, 2017. Mr. Rogers was denied parole after his initial hearing in 2007, as well as his review hearing in 2012. Mr. Rogers was not represented by counsel, and he declined to provide an opening statement. At this hearing, Mr. Rogers recanted the statement he made during his 2012 hearing that implicated an acquaintance as the person who committed the brutal murders of Ms. Pellegrini and Mr. Ward. He informed the Board that it wasn't until after a recent surgery, that he came to realize he needed to make amends and accept full responsibility. Today, Mr. Rogers admits that he, alone, committed the governing offense. While under the influence of crack cocaine and cocaine, he said that he went to the victim's home solely to steal money to support his addiction. He maintains, however, that he can't recall what triggered his rage. Prior to the murders, Mr. Rogers had multiple convictions for larceny, receiving stolen property, and credit card misuse. In addition, Mr. Rogers had a pattern of returning to the homes of former clients for the purpose of stealing. He acknowledges that he had, on one prior occasion, stolen money from Ms. Pellegrini.

The Board discussed Mr. Rogers's institutional adjustment since his last hearing. Mr. Rogers is currently incarcerated at MCI-Norfolk, where he is employed as a unit janitor. He is currently enrolled in Restorative Justice and regularly attends AA/NA and religious services. He has completed Criminal Thinking and Violence Reduction. Mr. Rogers indicated that his drug dependency became problematic during his twenties.

Mr. Rogers had several supporters at his hearing. The Board considered oral testimony from his sister, who expressed strong support for parole. Several family members of both victims spoke in opposition to parole. Opposition letters were submitted by the Suffolk County District Attorney's Office and the Office of Boston Police Commissioner William Evans. Suffolk County Assistant District Attorney Charles Bartoloni attended the hearing in opposition to parole.

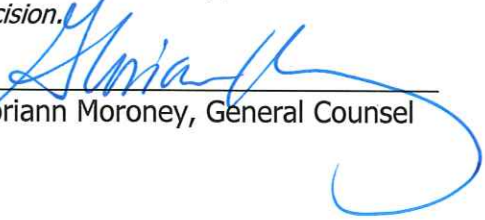
III. DECISION

The Board is of the opinion that Jesse Rogers has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Rogers continues to provide various versions of the governing offense that resulted in a double murder of an elderly woman and a disabled man. His presentment indicates a lack of true rehabilitation. Additionally, he has yet to provide the Board with a plausible explanation as to why he flew into a fit of rage.

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. Rogers' institutional behavior, as well as his participation in available work, educational, and treatment programs during the period of his incarceration. The Board has also considered a risk and needs assessment and whether risk reduction programs could effectively minimize Mr. Rogers' risk of recidivism. After applying this standard to the circumstances of Mr. Rogers' case, the Board is of the unanimous opinion that Jesse Rogers is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Rogers' next appearance before the Board will take place in five years from the date of this hearing. During the interim, the Board encourages Mr. Rogers to continue working towards 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



Date