



The Commonwealth of Massachusetts  
Executive Office of Public Safety



**PAROLE BOARD**

12 Mercer Road  
Natick, Massachusetts 01760

Telephone # (508) 650-4500  
Facsimile # (508) 650-4599

Deval L. Patrick  
Governor

Timothy P. Murray  
Lieutenant Governor

Mary Elizabeth Heffernan  
Secretary

Josh Wall  
Chairman

**DECISION**

**IN THE MATTER OF**

**LUIS SANTIAGO**  
**W67813**

**TYPE OF HEARING:** Initial Hearing  
**DATE OF HEARING:** December 6, 2011  
**DATE OF DECISION:** December 3, 2012

**PARTICIPATING BOARD MEMBERS:** Cesar Archilla, Dr. Charlene Bonner, Sheila 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, 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 four years.

**I. STATEMENT OF THE CASE**

Luis Santiago appeared before the Massachusetts Parole Board on December 6, 2011 for an Initial Hearing on the life sentence he is currently serving at North Central Correctional Institution in Gardner. Mr. Santiago is 34 years old.

A jury convicted Mr. Santiago of second-degree murder, assault with intent to kill, and possession of a firearm. On March 6, 2000 Mr. Santiago was sentenced to a life in prison for the murder, a four to five year concurrent sentence for armed assault with intent to kill, and one to two year concurrent sentence for possession of firearm. The victim of these offenses was Alejandro Host, age 49. Co-defendant Adam Colon was also charged with murder; he was acquitted at trial when the judge allowed his motion for a required finding of not guilty.

In 2001 Mr. Santiago appealed his convictions. The Appeals Court affirmed the convictions. Mr. Santiago filed a motion for new trial in 2011 which the trial judge denied Mr. Santiago's appeal of the denial is pending.

On Sunday, January 26, 1997, the victim was at home with his daughter and his friend watching the Super Bowl, when there was a knock at the door. The victim's ten-year-old daughter, Katacha Castillo opened the door. Luis Santiago and Adam Colon were at the door. Santiago asked to speak to the victim. When Katacha turned to get her father, Santiago entered the apartment and pushed her aside. Santiago approached the victim and asked him to come outside. The victim said he would be out in five minutes. The defendant demanded, "No five minutes, now."

The victim was outside in the hallway with Santiago and Colon for four to five minutes when Walter Trammell, next-door neighbor and longtime friend of the victim, heard the victim cry for help. Katacha heard her father say, "Don't shoot, there's kids in the house." Trammell looked out the peep hole and saw the defendant and the victim, "hugged up, you know pushing, they were pushing, backing up." As he opened the door to go out, Trammell heard a gunshot as Santiago shot the victim. He walked out into the hallway and saw the victim up against the wall.

He saw Santiago fire another shot at the victim. The victim bent over, grabbed his side and said, "He got me." The victim was unarmed. Trammell put the victim in his truck and rushed him to Brockton Hospital where he underwent surgery.

Santiago and Colon were apprehended within minutes. At show-up identifications, the victim's daughter and Trammell identified Santiago and Colon. Police recovered a .38 caliber revolver from Santiago. The revolver contained two spent shell casings and one unspent round. Firearms examination later determined that Santiago's gun fired a bullet found at the scene.

The victim was released from the hospital and went to his sister's house in Boston on February 3 to recuperate. Two days later he collapsed and died due to a pulmonary embolism that formed in his leg and migrated to his heart.

Dr. William Zane, Chief Medical Examiner, performed the autopsy. Dr. Zane testified that the blood clot was no more than one week old and could not have been left over from surgery the victim underwent in 1985.

## **II. INSTITUTIONAL HISTORY**

Santiago's adjustment was noted as poor while he was held awaiting trial at the Plymouth House of Correction. He accrued seven disciplinary reports and was placed in the Special Management Unit on four separate occasions.

Since his commitment to MCI-Cedar Junction on March 6, 2000, Santiago has accrued six disciplinary reports. In August 2004, Mr. Santiago was found to be in possession of fermented juice. Mr. Santiago's last disciplinary infractions occurred in 2006: in April 2006 he physically assaulted another inmate and in December 2006 he fought with another inmate.

Santiago's institutional programming commenced in 2002 and includes: receipt of his GED in 2009; completion of the Correctional Recovery Academy in 2008; Substance Abuse group in 2005; Anger Management in 2005; and Alternatives to Violence, Violence Reduction, and Relapse Prevention in 2002. Mr. Santiago participated in NEADS puppy training program in 2010 and 2011. Mr. Santiago is currently employed as a runner and is enrolled in courses through Milwaukee Area Technical College.

### III. DECISION

Luis Santiago shot and killed Alejandro Host in the presence of the victim's daughter. At his parole hearing, Santiago denied responsibility for the victim's death. He insisted that Host's pulmonary embolism was unrelated to recovery from the gunshot wound. The medical evidence on this point, as described in the Appeals Court decision, was decisive and unchallenged. Santiago refuses to recognize that he caused the death and he does not accept the jury verdict. He has an average disciplinary record and average programming. The rehabilitative programs have not, however, had their intended effect as the inmate does not accept responsibility, which is a basic expectation for rehabilitation.

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 compatible with the welfare of society." Applying that appropriately high standard, we find the inmate does not merit parole at this time. The review will be in four years; in the meantime Mr. Santiago should maintain a positive institutional conduct, remain involved in programs and work, and use his program work to understand why he has resisted the expert testimony and jury conclusion that he did cause Mr. Host's death.

*I certify that this is the decision and reasons of the Massachusetts Parole Board regarding the above referenced hearing. This signature does not indicate authorship of the decision.*

  
Caitlin E. Casey, Chief of Staff

12/5/12  
Date