



The Commonwealth of Massachusetts
Executive Office of Public Safety



PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760

Deval L. Patrick
Governor

Andrea J. Cabral
Secretary

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

Josh Wall
Chairman

DECISION

IN THE MATTER OF

ANDRE SASSANGE

W34729

TYPE OF HEARING: Review Hearing

DATE OF HEARING: January 28, 2014

DATE OF DECISION: July 23, 2014

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Ina Howard-Hogan, 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 a suitable candidate for parole. An order of deportation is in place and the Parole Board expects that the inmate will be deported to Haiti with parole conditions set forth by the Parole Board.

I. STATEMENT OF THE CASE

On February 17, 1974, at approximately 10:00 a.m., Andre Sassange was arguing with his girlfriend Marie Constant. Ms. Constant's nine-year-old son saw Sassange retrieve a sword that was approximately 2 1/2 feet long. Sassange hit and stabbed Ms. Constant with the sword. She managed to run out the door when Ms. Constant's daughter began throwing glasses at Sassange. He followed Ms. Constant outside and a neighbor saw him drag her to a gate and repeatedly stab her with the sword. Sassange fled the area but was found a short time later by police with blood on his clothing and lacerations on his hands. He was identified by witnesses and placed under arrest. Ms. Constant died of her injuries.

On October 25, 1975, on the second day of trial, Sassange pleaded guilty to second degree murder and was sentenced to life in prison. In 1988, an ICE detainer was lodged against Sassange and in 1999 an order of deportation was issued.

II. PAROLE HEARING ON JANUARY 28, 2014

Andre Sassange is 65 years old and has been incarcerated for 40 years. Sassange was represented by a Northeastern University student attorney. He used an interpreter throughout the hearing. Sassange suffered a stroke in 1998 that has left him with partial paralysis on his left side and has affected his speech. Sassange stated that the stroke has also affected his cognitive functioning. Sassange has a diagnosis of schizophrenia, paranoid type that affects his overall level of functioning. The Parole Board conducted the hearing with the understanding of his limitations.

Sassange has provided numerous versions of the governing offense over many years, and given his pronounced mental illness and other limitations, he was unable to clarify relevant discrepancies. Sassange has maintained at different times that Ms. Constant *produced* the sword and that he managed to grab it from her and stabbed her by accident. He has consistently stated that they were arguing over his desire to return to New York where he had children from a previous relationship. Sassange has also consistently maintained that he cannot remember all of the details of what occurred, but now acknowledges that the witnesses must be accurate in their accounts. The details that he does claim to recall, however, are not consistent with the witness statements. The Parole Board was unable to determine if Sassange has created his own memories of what happened and hence believes them, or if he has more ability to be deceptive than what appears from his limited cognitive functioning.

The Parole Board focused largely on his understanding of his mental illness. Board Members verbalized concern regarding his long history of non-compliance with his medication which precipitated decompensation in his mental status, including psychotic symptoms. Sassange has required numerous involuntary hospitalizations at Bridgewater State Hospital. Sassange has also required court-ordered extended hospitalizations in order to stabilize his symptoms. According to medical records and prior parole hearing decisions, Sassange maintained for a long time that he did not have a mental illness and that he did not need medication. However, Sassange has been compliant with treatment since 1998, requiring no further psychiatric hospitalizations. He stated that he has learned about his mental illness and has accepted both his diagnosis and treatment. His symptoms have been stabilized on medication and he continues to engage in recommended mental health counseling. Sassange insisted that he would never terminate his medication and knows that he needs it to "control" his schizophrenia. Sassange did not feel that he would become dangerous to himself or to others if he were to terminate his medication and denied that he was mentally ill at the time he committed the offense. There is no evidence to support that he was symptomatic at that time, but Sassange required mental health services as early as 1977, which appears to be his first hospitalization at Bridgewater State Hospital. Sassange stated that he has not experienced any symptoms since 1988-89 and described those symptoms as "staying in my room" and isolating himself. He denied having ever been self-injurious, dangerous to others, or violent as a result of his schizophrenia. The Parole Board discussed behaviors that he exhibited that required hospitalization, which Sassange did not dispute but that he also did not recall. The Parole Board emphasized that it is not unusual that he would not recall such episodes and behaviors; however, he needs to be aware of how sick he has become when he is not compliant with his treatment. The Parole Board also questioned Sassange on his plan to receive mental health care in Haiti. His responses to specific questions regarding whom he would reside with, how he

would receive his medications, and how he would be cared for became increasingly confusing. The Parole Board received some clarification from his student attorney; however, there appeared to be more questions than confirmed answers concerning his specific ongoing care plan.

Sassange provided the Parole Board with his daily routine, what groups and programs he attends, and his work history. He also discussed the contact he has had with family and other supports; however, this too became increasingly confusing. Sassange stated that he has family in the United States and in Haiti, and would rely on his family initially for financial support, and ongoing emotional support. Sassange stated that he intends to work in a printing company in Haiti, which seems unlikely considering his mental health and his physical and cognitive limitations. He said his family will buy his medications for him. Sassange provided letters of support from his children in the United States.

The Parole Board requested that Sassange's student attorney consult with family members and submit a more specific plan for a parole to Haiti. Specifically, the Board sought more detail on residence, mental health treatment, medication compliance, and financial support. In response, Sassange submitted a comprehensive release plan via his student attorney after the hearing. This plan outlined specific family members in Haiti who will care for Sassange, and a specific plan with health care providers who will treat his mental health needs. In addition, this comprehensive plan described how Sassange will access his medication, mental health care, and hospitalization if needed.

Suffolk Assistant District Attorney Charles Bartoloni submitted a letter opposing Sassange's parole. The letter of opposition highlights the nature of the offense and witness statements that suggest Sassange planned to murder Ms. Constant.

III. DECISION

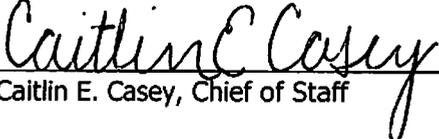
Andre Sassange murdered his girlfriend by stabbing her to death with a sword. He suffers from significant medical issues and a major mental illness. Sassange denied that he was experiencing symptoms of his mental illness at the time of the murder; however, his student attorney identifies his mental illness as being the direct cause for his actions on that day. Sassange has required numerous involuntary hospitalizations to Bridgewater State Hospital throughout his incarceration. It appears that he began requiring mental health care within years of his initial incarceration, thus it is conceivable that Sassange had an emerging mental illness around the time of his offense. Although there is no documentation that Sassange has exhibited any violence during his incarceration, even when non-compliant with medication and treatment, he has clearly become psychotic which has required hospitalizations. Sassange's mental illness has to be managed with medication. During the periods where Sassange has refused medication, he has significantly decompensated and is unable to care for himself. Sassange has not required any psychiatric hospitalizations in the past 20 years, and by all accounts, he has recognized that he has a mental illness and has accepted all of his treatment.

Sassange has been incarcerated for 40 years. During that time he had a stroke that has impaired his mobility, cognitive abilities, and speech. He requires treatment for hypertension and diabetes. Sassange also has significant functional impairments due to his mental illness, and he is in need of daily medication compliance to control his symptoms. Sassange's mental illness and medical issues are stabilized at this time, but it is clear that his institutionalization is significant in his ability to function at his current level. Therefore, it is imperative that Sassange receive very structured supports that include people who understand all of his medical and psychiatric needs, as well as the fact that he has been institutionalized for 40 years. His reintegration to a country where he has not been since he was a young man will also be difficult. Given that Sassange has an immigration detainer, he cannot transition through lower security as would be preferred. The Parole Board feels that the comprehensive plan provided by Sassange's counsel, at the Board's request, addresses all his needs and provides a support plan should Sassange require hospitalization. The reintegration plan included specific family members who will care for him and provided information on their qualifications and financial means to do so.

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 by a unanimous vote concluded that Sassange meets the legal standard for parole to his immigration detainer because he presents no current risk for violence when his mental illness is properly treated and his plan for treatment with supervision in the community is sufficient to assure support, treatment compliance, and monitoring.

SPECIAL CONDITIONS: Parole to ICE custody for deportation to Haiti; no drug use; no alcohol use; mental health counseling for schizophrenia; must comply with all mental health counseling recommendations; must take prescribed medication; work not required due to disability; no contact with victim's family.

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.


Caitlin E. Casey, Chief of Staff

7/23/14
Date