

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

12 Mercer Road
Natick, Massachusetts 01760



Maura Healey
Governor

Kim Driscoll
Lieutenant Governor

Terrence Reidy
Secretary

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

Tina M. Hurley
Chair

RECORD OF DECISION

IN THE MATTER OF

DEMITRIAS SALLEY

W57534

TYPE OF HEARING: Review Hearing

DATE OF HEARING: December 6, 2022

DATE OF DECISION: March 9, 2023

PARTICIPATING BOARD MEMBERS: Tina Hurley, Dr. Charlene Bonner, Tonomey Coleman, Dr. Maryanne Galvin, James Kelcourse, Colette Santa

STATEMENT OF THE CASE: On November 22, 1994, in Norfolk Superior Court, Demitrias Salley pleaded guilty to second-degree murder in the death of Scott Down and was sentenced to life with the possibility of parole. On the same date, he pleaded guilty to attempt to commit a crime, to wit: armed robbery and received a second, concurrent life sentence with the possibility of parole.

Mr. Salley appeared before the Parole Board for a review hearing on December 6, 2022. He was represented by student attorneys from Northeastern University School of Law. Mr. Salley was denied parole at his 2008 initial hearing and after his 2013 and 2018 review hearings. The entire video recording of Mr. Salley's December 6, 2022, hearing is fully incorporated by reference to the Board's decision.

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 that the inmate is a suitable candidate for parole.¹

Reserve to LTRP or CRJ for at least six months after one year in lower security. On May 31, 1993, Mr. Salley shot and killed 19-year-old Scott Down. Mr. Salley has had an overall positive institutional adjustment. He seriously committed to his rehabilitation through completion of

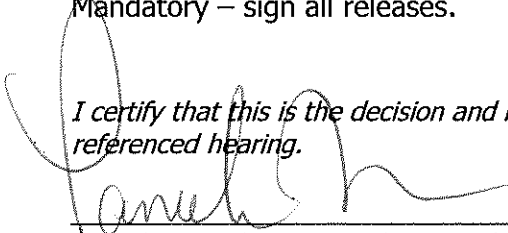
¹ One Board member voted to deny parole.

numerous programs to include Restorative Justice, Path of Freedom, Violence Reduction, and Emotional Awareness. He has pursued higher education and vocational training. He will benefit from a gradual transition through lower security to aid in his reentry. The Board notes Mr. Salley has significant community and family support, on which he should rely as he reenters the community.

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. Salley's 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. Salley's risk of recidivism. Applying this standard to the circumstances of Mr. Salley's case, the Board is of the opinion that Demitrias Salley is rehabilitated and, therefore, merits parole at this time.

Special Conditions: Reserve to LTRP or CRJ; Waive work for program/two weeks; Curfew – Must be at home between 10pm and 6am; ELMO-electronic monitoring; Supervise for drugs, testing in accordance with agency policy; Supervise for liquor abstinence, testing in accordance with agency policy; Report to assigned MA Parole Office on day of release; No contact with victim's family; Must have mental health evaluation and follow recommendations; Must have substance abuse evaluation and follow recommendations; Counseling for adjustment/transition; Mandatory – sign all releases.

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



Pamela Murphy, General Counsel

3/9/23
Date