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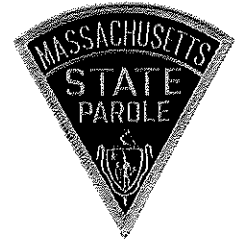
The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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Tina M. Hurley
Chair

Daniel Nakamoto
Acting Executive Director

RECORD OF DECISION

IN THE MATTER OF

JAMES DEMONT
W88136

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **October 5, 2023**

DATE OF DECISION: **January 2, 2024**

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Tina M. Hurley, James Kelcourse

VOTE: Parole is denied with a review in two years from the date of the hearing.

PROCEDURAL HISTORY: On August 9, 2006, in Middlesex Superior Court, James Demont pleaded guilty to second-degree murder in the death of 39-year-old Juan Salazar. He was sentenced to life in prison with the possibility of parole. Parole was denied following an initial hearing in 2019. He was not represented by counsel. The Board's decision fully incorporates, by reference, the entire video recording of James Demont's October 5, 2023 hearing.

STATEMENT OF THE CASE: On November 18, 2004, at approximately 12:00 a.m., officers of the Billerica Police Department were dispatched to 114 Treble Cove Road pursuant to a 911 call. The caller reported that a man had been stabbed, and that the knife was still in his chest. The police arrived at the residence within minutes. Once inside, they encountered Juan Salazar, lying on the floor in a pool of blood, with the handle of a knife protruding from his chest. They also encountered a man, later identified as James Demont (age 31), who was being restrained by another man. A witness told the officers that Mr. Demont and Mr. Salazar had been fighting. The officers placed Mr. Demont in handcuffs and took him to the next room.

Witnesses reported to the police that they heard a scream and other noises from inside the room. They heard Mr. Salazar saying, "No! No!" When they tried to get into the room, the door was locked. At this point, they could hear Mr. Salazar calling for help. Finally, they kicked down the door and entered the room. They observed Mr. Salazar partially leaning up against a dresser with at least one of his hands on his chest. They also saw Mr. Demont standing directly

in front of Mr. Salazar, with his hands over Mr. Salazar's hand. A witness jumped between the two and pulled Mr. Demont off Mr. Salazar. Mr. Salazar was still conscious and told the witness that Mr. Demont had "hit" or "hurt" him. After seeing the knife in the chest of Mr. Salazar, witnesses attempted to restrain Mr. Demont and then called 911.


Mr. Salazar was transported to Lahey Clinic, where he was pronounced dead approximately 40 minutes later. It was later learned that Mr. Salazar and Mr. Demont had been friends, who often used heroin together at Mr. Salazar's house.

APPLICABLE STANDARD: Parole "[p]ermits shall be granted only if the board is of the opinion, after consideration of a risk and needs assessment, that there is a reasonable probability that, if the prisoner is released with appropriate conditions and community supervision, the prisoner will live and remain at liberty without violating the law and that release is not incompatible with the welfare of society." M.G.L. c. 127, § 130. In making this determination, the Board takes into consideration an inmate's institutional behavior, their participation in available work, educational, and treatment programs during the period of incarceration, and whether risk reduction programs could effectively minimize the inmate's risk of recidivism. M.G.L. c. 127, § 130. The Board also considers all relevant facts, including the nature of the underlying offense, the age of the inmate at the time of the offense, the criminal record, the institutional record, the inmate's testimony at the hearing, and the views of the public as expressed at the hearing and/or in written submissions to the Board.

DECISION OF THE BOARD: This is 50-year-old James Demont's second appearance before the Board after an initial hearing in 2019, when parole was denied. Mr. Demont has a history of violent convictions that pre-date this incarceration. His history of disciplinary reports reflect substance use issues, including since his last hearing. The Board noted the use of controlled substances factored into the circumstances of the murder. Mr. Demont testified to continued use of controlled substances while in custody, up until his recent enrollment in June in the Medication Assisted Treatment (MAT) program. Mr. Demont indicated he is now addressing his substance use issues, and the Board notes that Mr. Demont needs to maintain and demonstrate a sustained period of sobriety. The Board notes Mr. Demont's recent completion of Alternatives to Violence, Health Awareness, and Jericho Circle and recommends Mr. Demont continue with programming.

The Board notes support from Mr. Demont's sister. The Board also acknowledges opposition from the victim's daughter and Middlesex Assistant District Attorney Adrienne Lynch.

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.


Tina M. Hurley, Chair

1/2/24
Date