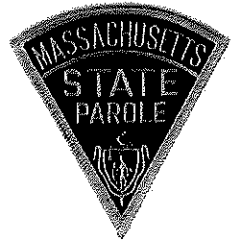


The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security



PAROLE BOARD

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**DECISION**

**IN THE MATTER OF**

**JAMES DEMONT**

**W88136**

**TYPE OF HEARING:** Initial Hearing

**DATE OF HEARING:** October 1, 2019

**DATE OF DECISION:** May 19, 2020

**PARTICIPATING BOARD MEMBERS:** Gloriann Moroney, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Karen McCarthy, Colette Santa

**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 four years from the date of the hearing.

**I. STATEMENT OF THE CASE**

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.

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), 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 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. By 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 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.

## **II. PAROLE HEARING ON OCTOBER 1, 2019**

James Demont, now 46-years-old, appeared before the Parole Board on October 1, 2019, for an initial hearing. He was not represented by counsel. In his opening statement to the Board, Mr. Demont offered his deepest apology to the Salazar family for the pain he caused them, as well as his own family. Mr. Demont spoke about his childhood, including his five sisters and one brother. He spoke about losing his sister in 2004, indicating that although she was an addict, she was also like a mother to him. Mr. Demont stated that he was physically abused by his stepfather from ages 5 to 16. Additionally, he was sexually abused by his uncle at age 10. Mr. Demont acknowledged that he started using drugs and drinking alcohol at around age 16.

When questioned as to the events leading up to the governing offense, Mr. Demont told the Board that he met Mr. Salazar through an acquaintance, when he was using drugs on the streets. He knew him for approximately 1½ to 2 months prior to the stabbing, but Mr. Demont had moved in with him almost immediately. They started getting high together, using heroin and cocaine every day. On the day of the stabbing, and while they were using drugs, Mr. Salazar (unexpectedly) told Mr. Demont to find a new place to stay. Mr. Demont added that Mr. Salazar was paying for the drugs that they had been using. Mr. Demont explained that they had been watching television, and that the knife was on a plate next to Mr. Salazar, who was lying down on the floor. Mr. Demont stated that he picked up the knife and stabbed Mr. Salazar two times in the back. When Mr. Salazar stood up, Mr. Demont stabbed him a third time. Mr. Demont described the knife as a butcher knife, approximately 12 inches long. When Board Members questioned Mr. Demont as to why he stabbed Mr. Salazar three times, he responded, "I honestly don't know." Mr. Demont explained how he blamed Mr. Salazar for the situation he was in, even though he knew that it was his own fault. He also admitted to initially telling police that Mr. Salazar had fallen. Board Members noted that Mr. Demont had maintained his innocence until only recently.

The Board noted that Mr. Demont has been program involved since 2012, participating in such programs as Correctional Recovery Academy. Mr. Demont stated that the Path of Freedom program has been most beneficial to him, and that he uses meditation to help him deal with his issues. Mr. Demont received approximately 5 disciplinary reports for Suboxone (with the last report in 2017) and one disciplinary report for heroin in 2007. He described a

fight in 2014, where he was assaulted by another inmate over money. Mr. Demont told the Board that he has been sober for 2½ years. The Board noted, however, that gambling in the institution has been an issue for him, as well as previous drug debts owed to other inmates. When the Board asked him to discuss areas that he needs to focus on, Mr. Demont responded, "Addiction." He added that if the problem is not drugs, then it is gambling. He claims, however, that he has not gambled in 6 months. In the height of his addiction, Mr. Demont was using Suboxone and gambling every day. Board Members agreed that Mr. Demont has a severe addiction, and that he has more work to do.

The Board considered oral testimony in support of parole from Mr. Demont's sister and her significant other. The Board considered oral testimony in opposition to parole from Mr. Salazar's son. Middlesex County Assistant District Attorney Robert Meltzer testified in opposition to parole.

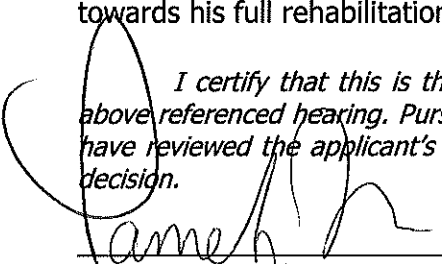
### **III. DECISION**


It is the opinion of the Board that James Demont has not yet demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. He has served 15 years for the death of Juan Salazar. Although he has engaged in some treatment/programming to address his causative factors, he continues to engage in anti-social behavior within the correctional facility. He needs to identify his triggers and develop appropriate coping skills/techniques.

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. Demont'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. Demont's risk of recidivism. After applying this standard to the circumstances of Mr. Demont's case, the Board is of the opinion that James Demont is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Demont's next appearance before the Board will take place in four years from the date of this hearing. During the interim, the Board encourages him 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.*

  
Pamela Murphy, General Counsel

  
Date