

The Commonwealth of Massachusetts
Executive Office of Public Safety and Security

PAROLE BOARD

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DECISION

IN THE MATTER OF

JERMAINE HUNTER

W69874

TYPE OF HEARING: **Review Hearing**

DATE OF HEARING: **April 25, 2019**

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

PARTICIPATING BOARD MEMBERS: Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, Tina Hurley, Gloriann Moroney, 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 that the inmate is a suitable candidate for parole.¹ Parole is granted to his federal detainer with special conditions.

I. STATEMENT OF THE CASE

On August 27, 2001, in Hampden Superior Court, Jermaine Hunter pleaded guilty to the second degree murder of Jeffrey Daniels and sentenced to life in prison with the possibility of parole. Also on that date, Mr. Hunter pleaded guilty to additional charges, including: possession of a firearm without a license, for which he received a sentence of 3 to 5 years; armed robbery, for which he received a sentence of 4 to 5 years; and assault and battery with a dangerous weapon, for which he received a sentence of 3 to 5 years. The court ordered these sentences to be served concurrent with his life sentence.

On the evening of June 7, 2000, 23-year-old Jermaine Hunter shot and killed Jeffrey Daniels during a drug transaction in Chicopee. Mr. Hunter, a known drug dealer, had arranged to purchase marijuana from Mr. Daniels that evening for a pre-agreed amount. They had never met prior to that event. Mr. Hunter and Mr. Daniels were driven in separate vehicles to the

¹ Two Board Members voted to deny parole with a two year review.

parking lot of a pub in Chicopee. At some point, Mr. Hunter began punching Mr. Daniels with his right hand, which was the hand in which Mr. Hunter was carrying a gun. Mr. Hunter then pointed the gun at Mr. Daniels and fired a shot into his chest. Mr. Hunter grabbed the backpack of marijuana and was driven to a friend's house, where he washed his face and changed his shirt. He then went home, telling a neighbor that he shot someone. He gave the neighbor his gun and told him to get rid of it. Shortly after, he saw on the news that Mr. Daniels had died.

Mr. Hunter was arrested a few hours later at his apartment. A search of the premises yielded a much smaller amount of cash than the agreed-upon purchase price, indicating that he did not have the money necessary for the purchase and had planned to steal the drugs.

II. PAROLE HEARING ON APRIL 25, 2019

Jermaine Hunter, now 42-years-old, appeared before the Parole Board for a review hearing on April 25, 2019. Mr. Hunter was represented by Alexandra Rawlings and Lyla Jean Wasz-Piper from Harvard Law School's Prison Legal Assistance Project. Mr. Hunter was denied parole after his initial hearing in 2015, and after his review hearing in 2017. In his opening statement to the Board, Mr. Hunter expressed his remorse and apologized to the family of Mr. Daniels. When the Board questioned him as to whether any factors in his background could have led him to commit the governing offense, Mr. Hunter explained that his father was involved in drug dealing, so, he (Mr. Hunter) had access to the drug trade. He described times when he had been tied up and robbed for drugs or money and spoke of how he carried a gun for protection. Despite being sentenced to serve 20 months in the Federal Bureau of Prisons, followed by three years of supervised release, Mr. Hunter said that he did not recognize, at the time, his destructive lifestyle.

The Board discussed the events surrounding the murder of Mr. Daniels. Mr. Hunter described a confused drug deal, where three men approached him in a car. One of the passengers got into the rear seat of Mr. Hunter's car, which made him nervous. Mr. Hunter then exited his vehicle and went into the front passenger seat of the sellers' car. He grew suspicious when the sellers tried to increase the price of the marijuana from \$2,200 to \$2,500. Mr. Hunter claimed the dispute escalated when he was pepper sprayed by one of the drug sellers. A fight ensued, and he fired his gun at Mr. Daniels. Mr. Hunter then fled to the other vehicle and drove to a friend's house to get the pepper spray out of his eyes.

Since his last hearing, Mr. Hunter has participated in numerous programming efforts, including Alternatives to Violence (two phases), Restorative Justice, Emotional Awareness, Anger Management, and Jericho Circle. He regularly participates in the Graduate Maintenance Program. Mr. Hunter reported that he no longer attends Alcoholics Anonymous or Narcotics Anonymous because he is involved in sponsoring other recovering addicts. If paroled, Mr. Hunter expects a parole to his federal sentence, where he still owes 24 months. Eventually, he hopes to live with his significant other. Mr. Hunter has his HV/AC license, as well as offers of employment from a construction company and a staffing company. He plans to seek one-on-one counseling for transitioning.

Multiple letters of support were submitted on behalf of Mr. Hunter. The Board considered oral testimony from Mr. Hunter's girlfriend, mother, and younger sister, all of whom

expressed strong support for parole. Mr. Daniels' mother, father, brother, and friend spoke in opposition to parole. Another family friend read a letter of opposition from Mr. Daniels' other brother. The Office of the Hampden County District Attorney submitted a letter of opposition to parole.

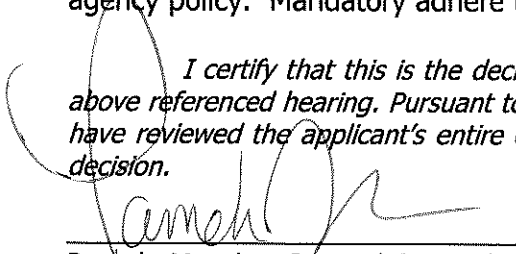
III. DECISION

Mr. Hunter has served 19 years for the murder of Mr. Daniels. During this commitment, he has demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society.

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. Hunter'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. Hunter's risk of recidivism. After applying this appropriately high standard to the circumstances of Mr. Hunter's case, the Board is of the opinion that Jermaine Hunter is rehabilitated and, therefore, merits parole at this time. Parole is granted to his federal detainer with special conditions.

SPECIAL CONDITIONS: Release to Federal Board of Prisons; Supervise for drugs, testing in accordance with agency policy; Supervise for alcohol abstinence, testing in accordance with agency policy. Mandatory adhere to the rules and regulations of FBOP.

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