



*The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security*



**PAROLE BOARD**

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**Paul M. Treseler**  
*Chairman*

**Jermaine J. Callahan**  
*Executive Director*

**DECISION**

**IN THE MATTER OF**

**JERMAINE HUNTER**

**W69874**

**TYPE OF HEARING:** **Review Hearing**

**DATE OF HEARING:** **April 25, 2017**

**DATE OF DECISION:** **May 15, 2018**

**PARTICIPATING BOARD MEMBERS:** Paul M. Treseler, Dr. Charlene Bonner, Tonomey Coleman, Sheila Dupre, and Tina Hurley. Lucy Soto-Abbe was recused.<sup>1</sup>

**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 not a suitable candidate for parole.<sup>2</sup> Parole is denied with a review scheduled in two years from the date of the hearing.

**STATEMENT OF THE CASE**

On August 27, 2001, in Hampden Superior Court, Jermaine Hunter pleaded guilty to second degree murder and was 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.

<sup>1</sup> Board Member Soto-Abbe was recused.

<sup>2</sup> Three Board Members voted to deny parole with a two year review. Two Board Members voted to reserve parole to a federal detainer.

During 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 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. A few moments later, 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, 2017**

Jermaine Hunter was denied parole after his initial hearing in 2015. Mr. Hunter, now 40-years-old, appeared before the Parole Board for a review hearing on April 25, 2017, and was represented by Harvard Prison Legal Assistance Project Student Attorneys Sean Lo and Michael Linhorst. In his opening statement to the Board, Mr. Hunter expressed remorse and apologized to the family of Mr. Daniels. He stated that Mr. Daniels lost his life due to the irresponsible and reckless conduct that he (Mr. Hunter) had exhibited.

The Board questioned Mr. Hunter at length about his criminal history and the causative factors that led him to prison. Mr. Hunter explained that he was enamored by street life, describing himself as a "street punk" and a "thug." At age 18, Mr. Hunter was sentenced to serve 20 months in the Federal Bureau of Prisons, followed by three years of supervised release. Upon his release, he still hadn't come to recognize that he lacked patience, discipline, and insight, and he slid back in to a life of crime. Mr. Hunter was on Federal Probation at the time of the governing offense. He stated that he now recognizes the consequences and the ripple effect of dealing drugs in the community. Mr. Hunter also discussed the events surrounding the murder of Mr. Daniels. Mr. Hunter disputes the fact that it was his intent to rob the victim of marijuana; it was to be a "drive by deal." He claims that at the time of the offense, he had the money on his person; it was to be a fair buy. He accepts full responsibility for the murder of Mr. Daniels, however, as he possessed a firearm for protection.

Since his last hearing, Mr. Hunter has participated in numerous programs, including Alternatives to Violence (two phases), Restorative Justice, Emotional Awareness, Anger Management, and Jericho Circle. He regularly participates in the Graduate Maintenance Program. Additionally, he is employed in the Correctional Recovery Academy staff office and as a unit runner.

Mr. Hunter had many supporters at his hearing, and multiple letters of support were submitted on his behalf. The Board considered oral testimony from his fiancé/wife, his mother, and two friends, all of whom expressed strong support for parole. Several of Mr. Daniels' family members (including parents and siblings), as well as his friends, attended the hearing in

opposition to parole. In addition, Mr. Daniels' mother, father, brother, and friend spoke in opposition to parole. Hampden County Assistant District Attorney Howard Safford also spoke in opposition to parole.

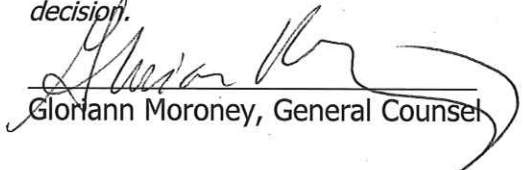
### III. DECISION

The Board is of the opinion that Jermaine Hunter has not demonstrated a level of rehabilitative progress that would make his release compatible with the welfare of society. Mr. Hunter does not appear to be forthright. In addition, he seems to have limited insight. The Board notes that the crimes were committed while Mr. Hunter was on Federal Probation.

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 standard to the circumstances of Mr. Hunter's case, the Board is of the majority opinion that Jermaine Hunter is not yet rehabilitated and, therefore, does not merit parole at this time.

Mr. Hunter's next appearance before the Board will take place in two years from the date of this hearing. During the interim, the Board encourages Mr. Hunter to continue working toward 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.*

  
Glorann Moroney, General Counsel

5/15/18  
Date